



GUACANAGARI	PONTIAC	BLACK HAWK
MONTEZUMA	CAPTAIN PIPE	KEOKUK
GUATIMOTZIN	LOGAN	SACAGAWEA
POWHATAN	CORNPLANTER	BENITO JUAREZ
POCAHONTAS	JOSEPH BRANT	MANGUS
SAMOSSET	RED JACKET	COLORADAS
MASSASOIT	LITTLE TURTLE	LITTLE CROW
KING PHILIP	TECUMSEH	SITTING BULL
LINCAS	OSCEOLA	CHIEF JOSEPH
TEDYUSKUNG	SEQUOYA	GERONIMO
	SHABONEE	



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AND DEVELOPMENT OF THE
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INDIAN TREATIES,

AND

LAWS AND REGULATIONS

RELATING TO INDIAN AFFAIRS:

TO WHICH IS ADDED

AN APPENDIX,

CONTAINING THE PROCEEDINGS OF THE OLD CONGRESS, AND OTHER
IMPORTANT STATE PAPERS, IN RELATION TO INDIAN AFFAIRS.

COMPILED AND PUBLISHED UNDER ORDERS OF THE DEPARTMENT OF WAR OF
THE 9TH FEBRUARY AND 6TH OCTOBER, 1825.

WASHINGTON CITY:

WAY & GIDEON, PRINTERS.

1826.

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Orders of the Department of War under which the following work was compiled and published.

“DEPARTMENT OF WAR,
Feb. 9, 1825.

“It being desirable for the convenience of this Department, and the superintendents and agents of Indian affairs, to have collected and printed in one volume, all the Indian Treaties, and Laws and Regulations relating to Indian affairs, and which are now in force, you will proceed to compile the same at such times as shall not interfere with your regular duties as clerk in this Department, to which you will add all important executive reports connected with our Indian relations, and affix an index of the contents to the work.”

(Signed) “J. C. CALHOUN.

To S. S. HAMILTON.

“DEPARTMENT OF WAR, OFF. IND. AFFAIRS,
Oct. 6, 1825.

“I have submitted your plan* to the Secretary of War, who has approved the same, and directed that one hundred and fifty copies of the work be printed for the use of the Department.”

“TH: L. McKENNEY.”

To S. S. HAMILTON.

* The plan referred to, was—to arrange the Indian treaties, and the Laws, in chapters, with an appendix, to contain certain important documents relating to Indian affairs, as is indicated, in detail, by the table of contents which follows on the succeeding pages. This plan has been strictly pursued, as far as it was possible; but in the progress of the publication, it was found necessary to deviate from it, by adding some treaties in supplementary chapters, the reasons for which are explained in the proper places.



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[*Note.* It is properly remarked, in a note relative to Indian treaties, in the Laws of the U. States, (Colvin's edition, page 710) that—"It is difficult to speak with precision as to the actual force and effect of all the Indian treaties. Their provisions are much intermingled, following in their various stipulations, the varying associations and interests of the different tribes. As a general remark, however, it may be observed, that what relates to the cessions of land must, in its nature, be permanent." It may be added, that while the policy which has been, and still is pursued by the government, with respect to the Indian tribes, continues the same, their condition cannot be considered, under any treaty that may be made with them, as permanently fixed.

The signatures of the Indian chiefs, &c. is commonly that of illiterate men among our own citizens—namely, a cross. But, in many instances, the figure of some animal is drawn, which is supposed to be emblematical of the qualities attributed to the chief by the denomination given to him.

The orthography of the names of the tribes and the Indian chiefs, &c. is very uncertain. It is not unfrequently the case, as may be seen by a comparison of the signatures to the different treaties of any one of the following chapters, that the same name is spelled in several different ways, though somewhat resembling each other in sound.]

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21. Of the 19th August, 1825; negotiated at Prairie du Chien, in the territory of Michigan, by William Clark and Lewis Cass. Ratified 6th February, 1826, 363

CHAPTER 42.—*Treaty with the Creek nation of Indians.*

(Supplementary to chapter 8, page 190.)

9. Of the 24th January, 1826; negotiated at the city of Washington, by James Barbour, secretary of war. Ratified with the supplementary article thereunto subjoined, 22d April, 1826, 371

LAWS OF THE UNITED STATES, RELATING TO INDIAN AFFAIRS

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TREATIES

BETWEEN THE UNITED STATES OF AMERICA. AND THE INDIANS.

CHAPTER I.

Treaties with the Delawares.

No. 1. Articles of agreement and confederation, made and entered into, by Andrew and Thomas Lewis, esquires, commissioners for, and in behalf of, the United States of North-America, of the one part, and captain White Eyes, captain John Kill Buck, junior, and captain Pipe, deputies, and chief men of the Delaware nation, of the other part.

Articles of agreement, &c. between the United States and the Delawares.

Article 1. That all offences or acts of hostilities, by one or either of the contracting parties against the other, be mutually forgiven, and buried in the depth of oblivion, never more to be had in remembrance.

Oblivion of the past.

Art. 2. That a perpetual peace and friendship shall, from henceforth, take place and subsist between the contracting parties aforesaid, through all succeeding generations: and if either of the parties are engaged in a just and necessary war with any other nation, or nations, that then each shall assist the other in due proportion to their abilities, till their enemies are brought to reasonable terms of accommodation: and that, if either of them shall discover any hostile designs forming against the other, they shall give the earliest notice thereof, that timeous measures may be taken to prevent their ill effect.

Perpetual peace and friendship.

Mutual assistance, in case of war.

Notice to be given of hostile designs.

Art. 3. And whereas the United States are engaged in a just and necessary war, in defence and support of life, liberty, and independence, against the king of England, and his adherents, and as said king is yet possessed of several posts and forts, on the lakes and other places, the reduction of which is of great importance to the peace and security of the contracting parties, and, as the most practicable way for the troops of the United States, to some of the posts and forts, is by passing through the country of the Delaware nation, the aforesaid deputies, on behalf of themselves and their nation, do hereby stipulate, and agree, to give a free passage through their country, to the troops aforesaid, and the same to conduct, by the nearest and best ways, to the posts, forts, or towns of the enemies of the United States, affording to said troops such supplies of corn, meat, horses, or whatever may be in their power, for

A free passage through the Delaware nation, to the troops of the United States. Delawares to guide and furnish supplies &c.

The Dela-
wares to join
with such
warriors as
they can
spare.

A fort to be
built by the
United States,
and garrisoned,
for the security
of the old men, women,
and children,
of the
Delawares.

Individuals of
either party,
infracting this
treaty, not to
be punished
except by due
course of law.

Mode of trying
offenders to
be hereafter
fixed.

Enemies, fugi-
tive criminals,
slaves, &c. not to be
countenanced
or protected;
but to be secured
and given up.

Dependence
of the Dela-
wares on the
United States,
for supplies of
clothing,
arms, &c.

An intelligent
agent, for the

the accommodation of such troops, on the commanding officers', &c. paying, or engaging to pay, the full value of whatever they can supply them with. And the said deputies, on the behalf of their nation, engage to join the troops of the United States aforesaid, with such a number of their best and most expert warriors, as they can spare, consistent with their own safety, and act in concert with them; and for the better security of the old men, women, and children, of the aforesaid nation, whilst their warriors are engaged against the common enemy, it is agreed, on the part of the United States, that a fort of sufficient strength and capacity be built at the expense of the said states, with such assistance as it may be in the power of the said Delaware nation to give, in the most convenient place, and advantageous situation, as shall be agreed on by the commanding officer of the troops aforesaid, with the advice and concurrence of the deputies of the aforesaid Delaware nation; which fort shall be garrisoned by such a number of the troops of the United States, as the commanding officer can spare for the present, and hereafter by such numbers, as the wise men of the United States in council, shall think most conducive to the common good.

Art. 4 For the better security of the peace and friendship now entered into by the contracting parties, against all infractions of the same, by the citizens of either party, to the prejudice of the other, neither party shall proceed to the infliction of punishments on the citizens of the other, otherwise than by securing the offender, or offenders, by imprisonment, or any other competent means, till a fair and impartial trial can be had by judges or juries of both parties, as near as can be, to the laws, customs, and usages of the contracting parties, and natural justice: the mode of such trials to be hereafter fixed by the wise men of the United States, in Congress assembled, with the assistance of such deputies of the Delaware nation, as may be appointed to act in concert with them in adjusting this matter to their mutual liking. And it is further agreed between the parties aforesaid, that neither shall entertain, or give countenance to, the enemies of the other, or protect, in their respective states, criminal fugitives, servants, or slaves, but the same to apprehend and secure, and deliver to the state, or states, to which such enemies, criminals, servants, or slaves, respectively belong.

Art. 5 Whereas the confederation entered into by the Delaware nation, and the United States, renders the first dependent on the latter, for all the articles of clothing, utensils, and implements of war, and it is judged not only reasonable, but indispensably necessary, that the aforesaid nation be supplied with such articles, from time to time, as far as the United States may have it in their power, by a well regulated trade, under the conduct of an intelligent, candid agent, with an adequate salary, one more influenced by the love of his country, and a constant

attention to the duties of his department, by promoting the common interest, than the sinister purposes of converting and binding all the duties of his office to his private emolument: convinced of the necessity of such measures, the commissioners of the United States, at the earnest solicitation of the deputies aforesaid, have engaged, in behalf of the United States, that such a trade shall be afforded said nation, conducted on such principles of mutual interest, as the wisdom of the United States, in Congress assembled, shall think most conducive to adopt for their mutual convenience.

purposes of trade, necessary.

Trade to be established on principles of mutual interest.

Art. 6. Whereas the enemies of the United States have endeavored, by every artifice in their power, to possess the Indians in general with an opinion, that it is the design of the states aforesaid, to extirpate the Indians, and take possession of their country; to obviate such false suggestion, the United States do engage to guarantee to the aforesaid nation of Delawares, and their heirs, all their territorial rights in the fullest and most ample manner, as it hath been bounded by former treaties, as long as they, the said Delaware nation, shall abide by, and hold fast the chain of friendship, now entered into. And it is further agreed on between the contracting parties, (should it for the future be found conducive for the mutual interest of both parties,) to invite any other tribes who have been friends to the interest of the United States, to join the present confederation, and to form a state, whereof the Delaware nation shall be the head, and have a representation in Congress: provided, nothing contained in this article to be considered as conclusive, until it meets with the approbation of Congress. And it is also the intent and meaning of this article, that no protection or countenance shall be afforded to any who are at present our enemies, by which they might escape the punishment they deserve.

Guarantee, by the United States, of the territorial rights of the Delawares, as established by former treaties, &c.

Other Indian tribes to be invited to join this confederation, to form a state, and have a representation in Congress. But this article not conclusive till it meets the approbation of Congress, &c.

Enemies not to escape punishment.

In witness whereof, the parties have hereunto interchangeably set their hands and seals, at fort Pitt, September seventeenth, anno Domini one thousand seven hundred and seventy-eight.

Andrew Lewis,	L. S.
Thomas Lewis,	L. S.
White Eyes, his x mark.	L. S.
The Pipe, his x mark.	L. S.
John Kill Buck, his x mark.	L. S.

In presence of

Lach'n McIntosh, *b. general, commander the western department.*
 Daniel Brodhead, *colonel 8th P. regiment,*
 W. Crawford, *col.*
 John Campbell,
 John Stephenson,
 John Gibson, *colonel 13th Virginia regiment,*
 A. Graham, *brigade major,*
 Lach. McIntosh, *jun. major brigade,*
 Benjamin Mills,
 Joseph L. Finley, *captain 8th Penn. regiment,*
 John Finley, *captain 8th P. regiment.*

Treaty between the United States and the Delawares.

Annuity from the United States, insufficient.

Country of the Delawares too extensive for their civilization.

The United States desire to connect their settlements, &c.

Tract of country between the Ohio and Wabash, &c ceded to the United States. [* See post chap. 3, No. 4.]

Annuity of \$300 for ten years, to be paid to the Delawares, &c.

Persons to be employed at the expense of the United States, to teach them the arts of civilized life, for which \$300 additional to be appropriated yearly for five years, &c.

Stolen horses to be restored.

No. 2. A treaty between the United States of America, and the Delaware tribe of Indians.

The Delaware tribe of Indians, finding that the annuity which they receive from the United States is not sufficient to supply them with the articles which are necessary for their comfort and convenience, and afford the means of introducing amongst them the arts of civilized life, and being convinced that the extensiveness of the country they possess, by giving an opportunity to their hunting parties to ramble to a great distance from their towns, is the principal means of retarding this desirable event : and the United States being desirous to connect their settlements on the Wabash with the state of Kentucky ; therefore, the said United States, by William Henry Harrison, governor of the Indiana territory, superintendent of Indian affairs, and their commissioner plenipotentiary for treating with the Indian tribes northwest of the Ohio river ; and the said tribe of Indians, by their sachems, chiefs, and head warriors, have agreed to the following articles ; which, when ratified by the president of the United States, by and with the advice and consent of the Senate, shall be binding on the said parties :

Art. 1. The said Delaware tribe, for the consideration hereinafter mentioned, relinquishes to the United States, forever, all their right and title to the tract of country which lies between the Ohio and Wabash rivers, and below the tract ceded by the treaty of fort Wayne,* and the road leading from Vincennes to the falls of Ohio.

Art. 2. The said tribe shall receive from the United States, for ten years, an additional annuity of three hundred dollars, which is to be exclusively appropriated to the purpose of ameliorating their condition, and promoting their civilization. Suitable persons shall be employed at the expense of the United States, to teach them to make fences, cultivate the earth, and such of the domestic arts as are adapted to their situation ; and a further sum of three hundred dollars shall be appropriated annually, for five years, to this object. The United States will cause to be delivered to them, in the course of the next spring, horses fit for draught, cattle, hogs, and implements of husbandry, to the amount of four hundred dollars. The preceding stipulations, together with goods to the amount of eight hundred dollars, which is now delivered to the said tribe, (a part of which is to be appropriated to the satisfying certain individuals of the said tribe, whose horses have been taken by white people,) is to be considered as full compensation for the relinquishment made in the first article.

Art. 3. As there is great reason to believe that there are now in the possession of the said tribe, several horses which have been stolen from citizens of the United States, the chiefs who represent the said tribe, are to use their utmost endeavors

to have the said horses forthwith delivered to the superintendent of Indian affairs, or such persons as he may appoint to receive them. And as the United States can place the utmost reliance on the honor and integrity of those chiefs who have manifested a punctilious regard to the engagements entered into at the treaty of Greenville, it is agreed, that in relation to such of the horses, stolen as aforesaid, but which have died, or been removed beyond the reach of the chiefs, the United States will compensate the owners for the loss of them, without deducting, from the annuity of the said tribe, the amount of what may be paid in this way. But it is expressly understood, that this provision is not to extend to any horses which have been stolen within the course of twelve months preceding the date hereof.

The United States to pay for stolen horses out of reach, or dead, without deduction ;

Except horses stolen within the preceding twelve months.

Art. 4. The said tribe having exhibited to the above-named commissioner of the United States, sufficient proof of their right to all the country which lies between the Ohio and White river, and the Miami tribe, who were the original proprietors of the upper part of that country, having explicitly acknowledged the title of the Delawares, at the general council held at fort Wayne, in the month of June, 1803,* the said United States will, in future, consider the Delawares as the rightful owners of all the country which is bounded by the White river on the north, the Ohio on the south, the general boundary line running from the mouth of the Kentucky river on the east, and the tract ceded by this treaty, and that ceded by the treaty of fort Wayne, on the west and southwest.

Territorial rights of the Delawares, specified and recognized by the United States, &c. [** See post. chap. 3, No. 4.*]

Art. 5. As the Piankeshaw tribe have hitherto obstinately persisted in refusing to recognize the title of the Delawares to the tract of country ceded by this treaty, the United States will negotiate with them, and will endeavor to settle the matter in an amicable way ; but should they reject the propositions that may be made to them on this subject, and should the United States not think proper to take possession of the said country without their consent, the stipulations and promise herein made, on behalf of the United States, shall be null and void.†

The United States to negotiate with the Piankeshaws, concerning their refusal to recognize the title of the Delawares to the tract ceded, &c.

Art. 6. As the road from Vincennes to Clark's Grant will form a very inconvenient boundary, and as it is the intention of the parties to these presents, that the whole of the said road shall be within the tract ceded to the United States, it is agreed that the boundary, in that quarter, shall be a straight line, to be drawn parallel to the course of the said road, from the eastern boundary of the tracts ceded by the treaty of fort Wayne to Clark's Grant: but the said line is not to pass at a greater distance than half a mile from the most northerly bend of said road.

Boundary, so as to include the road from Vincennes to Clark's grant, in the tract ceded, &c.

† The Piankeshaws relinquished their claim to the tract of land in question, by the treaty of Vincennes, of the 27th of August, 1804. See post. chap. 10, No. 1, art. 1.

In witness whereof, the commissioner plenipotentiary of the United States, and the chiefs and head men of the said tribe, have hereunto set their hands and affixed their seals. Done at Vincennes, the eighteenth day of August, in the year of our Lord one thousand eight hundred and four; and of the independence of the United States the twenty-ninth.

William Henry Harrison,	L. S.
Jeta Buxika, his x mark,	L. S.
Bokongehelas, his x mark,	L. S.
Alimee, or Geo. White Eyes, his x mark,	L. S.
Hocking Pomsdann, his x mark,	L. S.
Tomaguee, or the Beaver, his x mark,	L. S.

Signed, sealed, and delivered in presence of

John Gibson, *secretary to the commissioner.*
 Henry Vanderburg, *one of the judges of the Indiana Territory.*
 Vigo, *colonel of Knox county, I. T. Militia.*
 B. Parke, *attorney-general of the I. T.*
 John Rice Jones, *of the Indiana Ty.*
 Robert Buntin, *prothonotary of Knox county, I. T.*
 G. Wallace, jun. *of the Indiana Territory.*
 Antonie Marchal, *of the Indiana Territory.*
 Joseph Barron, *interpreter.*
 Edward Hempstead, *attorney at law.*

I do certify, that each and every article of the foregoing treaty was carefully explained, and precisely interpreted, by me, to the Delaware chiefs who have signed the same.

JOHN GIBSON.

Treaty with
the Dela-
wares, St.
Mary's, (O.)
3d Oct. 1818,
Delawares
cede all claim
to land in In-
diana.
United States
to provide a
country for
the Delawares
on the west of
the Missis-
sippi.
Full value of
Delaware im-
provements to
be paid—hor-
ses, perogues,
&c. to be fur-
nished.

No. 3. Articles of a treaty made and concluded at St. Mary's, in the state of Ohio, between Jonathan Jennings, Lewis Cass, and Benjamin Parke, commissioners of the United States, and the Delaware nation of Indians.

Art. 1. The Delaware nation of Indians cede to the United States all their claim to land in the state of Indiana.

Art. 2. In consideration of the aforesaid cession, the United States agree to provide for the Delawares a country to reside in, upon the west side of the Mississippi, and to guarantee to them the peaceable possession of the same.

Art. 3. The United States also agree to pay the Delawares the full value of their improvements in the country hereby ceded: which valuation shall be made by persons to be appointed for that purpose by the President of the United States; and to furnish the Delawares with one hundred and twenty horses, not to exceed in value forty dollars each, and a sufficient number of perogues, to aid in transporting them to the west side of the Mississippi; and a quantity of provisions, proportioned to their numbers, and the extent of their journey.

Art. 4. The Delawares shall be allowed the use and occupation of their improvements, for the term of three years from the date of this treaty, if they so long require it.

Art. 5. The United States agree to pay the Delawares a per-

Perpetual an-

all annuities which the United States, by any former treaty, engaged to pay to them, shall be paid in silver, at any place to which the Delawares may remove. annuity to the Delawares.

Art. 6. The United States agree to provide and support a blacksmith for the Delawares, after their removal to the west side of the Mississippi. A blacksmith, after removal.

Art. 7. One-half section of land shall be granted to each of the following persons, namely; Isaac Wobby, Samuel Cassman, Elizabeth Petchaka, and Jacob Dick; and one quarter of a section of land shall be granted to each of the following persons, namely; Solomon Tindell, and Benoni Tindell; all of whom are Delawares; which tracts of land shall be located, after the country is surveyed, at the first creek above the old fort on White river, and running up the river; and shall be held by the persons herein named, respectively, and their heirs; but shall never be conveyed or transferred without the approbation of the President of the United States. Grants of land to individual Delawares, on White River — but not transferable without consent.

Art. 8. A sum, not exceeding thirteen thousand three hundred and twelve dollars and twenty-five cents, shall be paid by the United States, to satisfy certain claims against the Delaware nation; and shall be expended by the Indian agent at Piqua and fort Wayne, agreeably to a schedule this day examined and approved by the commissioners of the United States. United States to pay certain claims on the Delawares at Piqua and fort Wayne.

Art. 9. This treaty, after the same shall be ratified by the President and Senate of the United States, shall be binding on the contracting parties. Treaty binding when ratified.

In testimony whereof, the said Jonathan Jennings, Lewis Cass, and Benjamin Parke, commissioners as aforesaid, and the chiefs and warriors of the Delaware nation of Indians, have hereunto set their hands, at St. Mary's, in the state of Ohio, this third day of October, in the year of our Lord one thousand eight hundred and eighteen.

JONATHAN JENNINGS,
LEW. CASS,
B. PARKE.

Kithteeleland, or Anderson, his x mark,
Lapahnihe, or Big Bear, his x mark,
James Nanticoke, his x mark,
Apacahund, or White Eyes, his x mark,
Captain Killbuck, his x mark,
The Beaver, his x mark,
Netahopuna, his x mark,
Captain Tunis, his x mark,
Captain Ketchum, his x mark,
The Cat, his x mark,
Ben Beaver, his x mark,
The War Mallet, his x mark,
Captain Caghkoo, his x mark,
The Buck, his x mark,
Petchenanalas, his x mark,
John Quake, his x mark,
Quenagtoothmait, his x mark,
Little Jack, his x mark.

In presence of

James Dill, *Secretary to the Commissioners*,
 William Turner, *Secretary*,
 Jno. Johnston, *Indian Agent*,
 B. F. Stickney, *S. I. A.*
 John Conner,
 William Conner, *Interpreter*,
 John Kinzie, *Sub Agent*,
 G. Godfroy, *Sub Agent*,
 John F. Chunn, *Maj. 3d U. S. Infantry*,
 J. Hackley, *Capt. 3d Infantry*,
 William Oliver,
 Hillary Brunot, *Lt. 3d Infantry*,
 David Oliver,
 R. A. Forsyth, *J. Secretary Ind. Depart.*

[*Note.* The three preceding treaties are all that the Delawares have concluded, separately, with the United States. It will be perceived, that they are the first nation of Indians with which the United States entered into a formal treaty; and it seems by the 6th article of No. 1, of this chapter, that it was contemplated in the year 1778, during the American revolutionary contest with Great-Britain, to institute an *Indian state*, with the Delawares at its head, and with a right to a representation in Congress. The wandering mode of life and peculiar habits of the Indians, no doubt, frustrated this benevolent plan. The Delaware Indians are parties, in common with several different tribes, to other treaties with the United States; to wit: the treaties of fort McIntosh, 21st of January, 1785; of fort Harmar, 9th of January, 1789; of Greenville, 3d of August, 1795; of fort Wayne, 7th of June, 1803; of fort Industry, 4th of July, 1805; of Grouseland, 21st of August, 1805; of fort Wayne, 30th of September, 1809; of Greenville, 22d of July, 1814; of Springwells, 8th of September, 1815; and of the foot of the Rapids, &c. 29th of September, 1817. See post. chap. 3. Nos. 1, 2, 3, 4, 6, 7, 10, 12, 13, 16.]

CHAPTER II.

Treaties, and contracts with the Six Nations, and other tribes of Indians in the state of New-York.*

Treaty between the United States and the Six Nations.

No. 1. Articles of a treaty concluded at fort Stanwix, on the twenty-second day of October, one thousand seven hundred and eighty-four, between Oliver Wolcott, Richard Butler, and Arthur Lee, commissioners plenipotentiary from the United States, in Congress assembled, on the one part, and the sachems and warriors of the Six Nations, on the other.

The United States give peace and protection.
 Six Indian

The United States of America give peace to the Senekas, Mohawks, Onondagas, and Cayugas, and receive them into their protection upon the following conditions:

Art. 1. Six hostages shall be immediately delivered to the

* The tribes composing the Six Nations are the Mohawks, Oneidas, Onondagas, Cayugas, Senekas, and Tuscaroras. The latter did not originally belong to the confederacy, but emigrated from North-Carolina, and joined it many years ago. The Stockbridge Indians also who are with the Oneidas and Tuscaroras, parties to No 5, of this chapter, emigrated from Massachusetts and settled, with the consent of the Six Nations, on the lands they now occupy. The Mohawks are separately parties to No. 7, and the Senekas to Nos. 8, 9, 10 & 11, of this chapter.

commissioners by the said nations, to remain in possession of the United States, till all the prisoners, white and black, which were taken by the said Senekas, Mohawks, Onondagas, and Cayugas, or by any of them, in the late war, from among the people of the United States, shall be delivered up.

Art. 2. The Oneida and Tuscarora nations shall be secured in the possession of the lands on which they are settled.

Art. 3. A line shall be drawn, beginning at the mouth of a creek, about four miles east of Niagara, called Oyonwayea, or Johnston's Landing Place, upon the lake, named by the Indians Oswego, and by us Ontario; from thence southerly, in a direction always four miles east of the carrying path, between lake Erie and Ontario, to the mouth of Tehoseroron, or Buffalo creek, on lake Erie; thence south, to the north boundary of the state of Pennsylvania; thence west, to the end of the said north boundary; thence south, along the west boundary of the said state, to the river Ohio; the said line, from the mouth of the Oyonwayea to the Ohio, shall be the western boundary of the lands of the Six Nations; so that the Six Nations shall and do yield to the United States, all claims to the country west of the said boundary; and then they shall be secured in the peaceful possession of the lands they inhabit, east and north of the same, reserving only six miles square, round the fort of Oswego, to the United States, for the support of the same.

Art. 4. The commissioners of the United States, in consideration of the present circumstances of the Six Nations, and in execution of the humane and liberal views of the United States, upon the signing of the above articles, will order goods to be delivered to the said Six Nations, for their use and comfort.

Oliver Wolcott,	L. S.
Richard Butler,	L. S.
Arthur Lee,	L. S.

MOHAWKS.

Onogwendahouji, his x mark,	L. S.
Touighnatogon, his x mark,	L. S.

ONONDAGAS.

Oheadarighton, his x mark,	L. S.
Kendarindgon, his x mark,	L. S.

SENEKAS.

Tavagonendagighti, his x mark,	L. S.
Tehonwacaghrigagi, his x mark,	L. S.

ONEIDAS.

Otyadonenghti, his x mark,	L. S.
Dagaheari, his x mark,	L. S.

CAYUGA.

Oraghgoanendagen, his x mark,	L. S.
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TUSCARORAS.

Ononghsawenghti, his x mark,
 Tharondawagon, his x mark,

L. S.
 L. S.

SENEKA ABEAL.

Kayenthoghke, his x mark

L. S.

Witnesses.

Sam. Jo. Atlee, }
 Wm. Maclay, } *Pennsylvania commissioners.*
 Fras. Johnston, }
 Aaron Hill,
 Alexander Campbell,
 • Saml. Kirkland, *missionary*,
 James Dean,
 Saml. Montgomery,
 Derick Lane, *capt.*
 John Mercer, *lieut.*
 William Pennington, *lieut.*
 Mahlon Hord, *ensign*,
 Hugh Peebles.

Treaty between the United States and the Six Nations,

No. 2. Articles of a treaty made at fort Harinar, the ninth day of January, in the year of our Lord one thousand seven hundred and eighty-nine, between Arthur St. Clair, esquire, governor of the territory of the United States of America, north-west of the river Ohio, and commissioner plenipotentiary of the said United States, for removing all causes of controversy, regulating trade, and settling boundaries, between the Indian nations in the northern department and the said United States, of the one part, and the sachems and warriors of the Six Nations, of the other part, viz :

Reference to the treaty of fort Stanwix, which immediately precedes this No. 1.

Art. 1. Whereas the United States, in Congress assembled, did, by their commissioners, Oliver Wolcott, Richard Butler, and Arthur Lee, esquires, duly appointed for that purpose, at a treaty held with the said Six Nations, viz : with the Mohawks, Oneidas, Onondagas, Tuscaroras, Cayugas, and Senekas, at fort Stanwix, on the twenty-second day of October, one thousand seven hundred and eighty-four, give peace to the said nations, and receive them into their friendship and protection : And whereas the said nations have now agreed to and with the said Arthur St. Clair, to renew and confirm all the engagements and stipulations entered into at the beforementioned treaty at fort Stanwix : and whereas it was then and there agreed, between the United States of America and the said Six Nations, that a boundary line should be fixed between the lands of the said Six Nations and the territory of the said United States, which boundary line is as follows, viz : Beginning at the mouth of a creek, about four miles east of Niagara, called Ononwayea, or Johnston's Landing Place, upon the lake named by the Indians Oswego, and by us Ontario ; from thence southerly, in a direction always four miles east of the carrying place, between lake Erie and lake Ontario, to the mouth of Tehoseroron, or Buffalo creek, upon lake Erie ; thence south, to the northern

Renewal of engagements.

Reference to the old boundary line, &c. as described in the preceding treaty No. 1.

boundary of the state of Pennsylvania ; thence west, to the end of the said north boundary ; thence south, along the west boundary of the said state to the river Ohio. The said line, from the mouth of Ononwayea to the Ohio, shall be the western boundary of the lands of the Six Nations, so that the Six Nations shall and do yield to the United States, all claim to the country west of the said boundary ; and then they shall be secured in the possession of the lands they inhabit east, north, and south of the same, reserving only six miles square, round the fort of Oswego, for the support of the same. The said Six Nations, except the Mohawks, none of whom have attended at this time, for and in consideration of the peace then granted to them, the presents they then received, as well as in consideration of a quantity of goods, to the value of three thousand dollars, now delivered to them by the said Arthur St. Clair, the receipt whereof they do hereby acknowledge, do hereby renew and confirm the said boundary line in the words beforementioned, to the end that it may be and remain as a division line between the lands of the said Six Nations and the territory of the United States, forever. And the undersigned Indians, as well in their own names as in the name of their respective tribes and nations, their heirs and descendants, for the considerations beforementioned, do release, quit claim, relinquish, and cede, to the United States of America, all the lands west of the said boundary or division line, and between the said line and the strait, from the mouth of Ononwayea and Buffalo creek, for them, the said United States of America, to have and to hold the same, in true and absolute propriety, forever.

The Mohawks excepted.

\$3,000 worth of goods delivered.

Old boundary confirmed.

Lands west of said line, ceded forever to the United States, &c.

Art. 2. The United States of America confirm to the Six Nations, all the lands which they inhabit, lying east and north of the beforementioned boundary line, and relinquish and quit claim to the same and every part thereof, excepting only six miles square round the fort of Oswego, which six miles square round said fort is again reserved to the United States by these presents.

Lands east and north of the boundary line confirmed to the Six Nations ; except, &c.

Art. 3. The Oneida and Tuscarora nations, are also again secured and confirmed in the possession of their respective lands.

Lands of Oneidas and Tuscaroras confirmed.

Art. 4. The United States of America renew and confirm the peace and friendship entered into with the Six Nations, (except the Mohawks,) at the treaty beforementioned, held at fort Stanwix, declaring the same to be perpetual. And if the Mohawks shall, within six months, declare their assent to the same, they shall be considered as included.

Peace and friendship renewed and confirmed. Mohawks allowed six months.

Done at fort Harmar, on the Muskingum, the day and year first above written.

In witness whereof, the parties have hereunto, interchangeably, set their hands and seals.

Ar. St. Clair,
Cageaga, or Dogs Round the Fire,

I. s.
I. s.

Sawedowa, or The Blast,	l. s.
Kiondushowa, or Swimming Fish,	l. s.
Oncahye, or Dancing Feather,	l. s.
Sohacas, or Falling Mountain,	l. s.
Otachsaka, or Broken Tomahawk, his x mark,	l. s.
Tekahias, or Long Tree, his x mark,	l. s.
Onechsetee, or Loaded Man, his x mark,	l. s.
Kiahtulaho, or Snake,	l. s.
Aqueia, or Bandy Legs,	l. s.
Kiandogewa, or Big Tree, his x mark,	l. s.
Oweneva, or Thrown in the Water, his x mark,	l. s.
Gyantwaia, or Cornplanter, his x mark,	l. s.
Gyasota, or Big Cross, his x mark,	l. s.
Kannassee, or New Arrow,	l. s.
Achiout, or Half Town,	l. s.
Anachout, or The Wasp, his x mark,	l. s.
Chishekoa, or Wood Bug, his x mark,	l. s.
Sessewa, or Big Bale of a Kettle,	l. s.
Sciahowa, or Council Keeper,	l. s.
Tewanias, or Broken Twig,	l. s.
Sonachshowa, or Full Moon,	l. s.
Cachunwasse, or Twenty Canoes,	l. s.
Hickonquash, or Tearing Asunder,	l. s.

In presence of

Jos. Harmar, *lieut. col. comdg. 1st United States' regt. and brig. gen. by brevet*,
 Richard Butler,
 Jno. Gibson,
 Will. McCurdy, *captain*,
 Ed. Denny, *ensign 1st United States regiment*,
 A. Hartshorn, *ensign*,
 Robt. Thompson, *ensign 1st United States' regiment*,
 Fran. Leile, *ensign*,
 Joseph Nicholas.

SEPARATE ARTICLE, OF THE NEXT PRECEDING TREATY.

Robberies and
murders to be
punished ac-
cording to the
law of the
state or terri-
tory where
they occur.

Stolen horses
to be restored.

Offenders to
be delivered
up.

Should a robbery or murder be committed by an Indian or Indians of the Six Nations, upon the citizens or subjects of the United States, or by the citizens or subjects of the United States, or any of them, upon any of the Indians of the said nations, the parties accused of the same shall be tried, and if found guilty, be punished according to the laws of the state, or of the territory of the United States, as the case may be, where the same was committed. And should any horses be stolen, either by the Indians of the said nations, from the citizens or subjects of the United States, or any of them, or by any of the said citizens or subjects from any of the said Indians, they may be reclaimed into whose possession soever they may have come; and, upon due proof, shall be restored, any sale in open market notwithstanding; and the persons convicted shall be punished with the utmost severity the laws will admit. And the said nations engage to deliver the persons that may be accused, of their nations, of either of the beforementioned crimes, at the nearest post of the United States, if the crime was committed within

the territory of the United States ; or to the civil authority of the state, if it shall have happened within any of the United States.

AR. ST. CLAIR.

No. 3. A treaty between the United States of America, and the tribes of Indians called the Six Nations.

Treaty between the U. S. and the Six Nations.

The President of the United States having determined to hold a conference with the Six Nations of Indians, for the purpose of removing from their minds all causes of complaint, and establishing a firm and permanent friendship with them ; and Timothy Pickering being appointed sole agent for that purpose ; and the agent having met and conferred with the sachems, chiefs, and warriors, of the Six Nations, in a general council : now, in order to accomplish the good design of this conference, the parties have agreed on the following articles ; which, when ratified by the president, with the advice and consent of the Senate of the United States, shall be binding on them and the Six Nations.

Desire of the United States to remove causes of complaint, &c.

Art. 1. Peace and friendship are hereby firmly established, and shall be perpetual, between the United States and the Six Nations.

Perpetual peace and friendship.

Art. 2. The United States acknowledge the lands reserved to the Oneida, Onondaga, and Cayuga nations, in their respective treaties with the state of New-York,* and called their reservations, to be their property ; and the United States will never claim the same, nor disturb them, or either of the Six Nations, nor their Indian friends, residing thereon, and united with them, in the free use and enjoyment thereof : but the said reservations shall remain theirs, until they choose to sell the same to the people of the United States, who have a right to purchase.

Reservations of Oneida, Onondaga, and Cayuga lands, in their treaties with the state of New-York, secured to them.

Art. 3. The land of the Seneca nation is bounded as follows : beginning on lake Ontario, at the northwest corner of the land they sold to Oliver Phelps ; the line runs westerly along the lake, as far as Oyōngwongyeh creek, at Johnston's Landing Place, about four miles eastward from the fort of Niagara ; then southerly, up that creek to its main fork ; then straight to the main fork of Stedman's creek, which empties into the river Niagara, above fort Schlosser ; and then onward, from that fork, continuing the same straight course, to that river ; (this line, from the mouth of Oyōngwongyeh creek to the river Niagara, above fort Schlosser, being the eastern boundary of a strip of land, extending from the same line to Niagara river, which the Seneca nation ceded to the king of Great Britain, at

Boundary line of lands, within which the title is acknowledged, and confirmed to the Senecas.

* See post. No. 4. "Contracts between the state of New-York and different tribes of the Six Nations," &c.

The United States not to disturb the possessions of the Senecas, &c. within said boundary, &c.

The Six Nations relinquish all claim to lands within the boundaries of the United States, &c.

The Six Nations cede the right to make a road from fort Schlosser to lake Erie; and allow a free passage through their lands, the free use of their harbors, &c.

In consideration of the engagements entered into by the Six Nations, the United States deliver to them goods to the value of \$10,000.

Additional annual allowance of

a treaty held about thirty years ago, with sir William Johnston; then the line runs along the river Niagara to lake Erie; then along lake Erie, to the northeast corner of a triangular piece of land, which the United States conveyed to the state of Pennsylvania, as by the president's patent, dated the third day of March, 1792; then due south to the northern boundary of that state; then due east to the southwest corner of the land sold by the Seneka nation to Oliver Phelps; and then north and northerly, along Phelps's line, to the place of beginning on lake Ontario. Now, the United States acknowledge all the land within the aforementioned boundaries, to be the property of the Seneka nation; and the United States will never claim the same, nor disturb the Seneka nation, nor any of the Six Nations, or of their Indian friends residing thereon and united with them, in the free use and enjoyment thereof: but it shall remain theirs, until they choose to sell the same to the people of the United States, who have the right to purchase.

Art. 4. The United States having thus described and acknowledged what lands belong to the Oneidas, Onondagas, Cayugas, and Senecas, and engaged never to claim the same, nor to disturb them, or any of the Six Nations, or their Indian friends residing thereon, and united with them, in the free use and enjoyment thereof: now, the Six Nations, and each of them, hereby engage that they will never claim any other lands within the boundaries of the United States; nor ever disturb the people of the United States in the free use and enjoyment thereof.

Art. 5. The Seneka nation, all others of the Six Nations concurring, cede to the United States the right of making a wagon road from fort Schlosser to lake Erie, as far south as Buffalo creek; and the people of the United States shall have the free and undisturbed use of this road, for the purposes of travelling and transportation. And the Six Nations, and each of them, will forever allow to the people of the United States, a free passage through their lands, and the free use of the harbors and rivers adjoining, and within their respective tracts of land, for the passing and securing of vessels and boats, and liberty to land their cargoes, where necessary for their safety.

Art. 6. In consideration of the peace and friendship hereby established, and of the engagements entered into by the Six Nations; and because the United States desire, with humanity and kindness, to contribute to their comfortable support; and to render the peace and friendship hereby established strong and perpetual, the United States now deliver to the Six Nations, and the Indians of the other nations residing among and united with them, a quantity of goods of the value of ten thousand dollars. And for the same considerations, and with a view to promote the future welfare of the Six Nations, and of their Indian friends aforesaid, the United States will add the sum of

three thousand dollars, to the one thousand five hundred dollars \$3,000 to the Six Nations.
 heretofore allowed them by an article ratified by the president,
 on the twenty-third day of April, 1792,* making in the whole
 four thousand five hundred dollars;† which shall be expended \$4,500 to be expended
 yearly, forever, in purchasing clothing, domestic animals, imple-
 ments of husbandry, and other utensils suited to their circum-
 stances, and in compensating useful artificers, who shall reside
 with or near them, and be employed for their benefit. The
 immediate application of the whole annual allowance now stipu-
 lated, to be made by the superintendent, appointed by the presi-
 dent, for the affairs of the Six Nations, and their Indian friends
 aforesaid. the benefit of the Six Nations, and applied by a superintendent appointed by the United States.

Art. 7. Lest the firm peace and friendship now established
 should be interrupted by the misconduct of individuals, the
 United States and Six Nations agree, that for injuries done by
 individuals on either side, no private revenge or retaliation shall
 take place; but, instead thereof, complaint shall be made by the
 party injured, to the other: by the Six Nations, or any of them,
 to the President of the United States, or the superintendent by
 him appointed: and by the superintendent, or other person ap-
 pointed by the President, to the principal chiefs of the Six Na-
 tions, or of the nation to which the offender belongs: and such
 prudent measures shall then be pursued as shall be necessary to
 preserve our peace and friendship unbroken; until the legisla-
 ture (or great council) of the United States shall make other
 equitable provision for the purpose. No individual retaliation for private injuries; but complaint to be made, and redress to be sought, by one party, to and from the other, &c.

Note. It is clearly understood by the parties to this treaty, that
 the annuity stipulated in the sixth article, is to be applied to the
 benefit of such of the Six Nations and of their Indian friends
 united with them as aforesaid, as do or shall reside within the
The annuity stipulated in the 6th article to be applied to the benefit only of such of

* The following is the article alluded to. It was ratified, in due form, like
 the treaties, by the President and the Senate:

"The President of the United States, by Henry Knox, secretary for the
 department of war, stipulates, in behalf of the United States, the following
 article, with the Five Nations of Indians, so called, being the Senecas, Onei-
 das, and the Stockbridge Indians incorporated with them, Tuscaroras, Cayu-
 gas, and Onondagas, to wit:

"The United States, in order to promote the happiness of the Five Nations
 of Indians, will cause to be expended, annually, the amount of one thousand
 five hundred dollars, in purchasing for them clothing, domestic animals, and
 implements of husbandry, and for encouraging useful artificers to reside in
 their villages.

"In behalf of the United States,

H. KNOX,

(L. s.)

Secretary for the Department of War.

Done in the presence of

Tobias Lear,
 Nn. Jones."

† This sum to be disbursed for the benefit of such of the Six Nations only,
 as reside within the limits of the United States. See "Note," which follows
 the 7th article of this treaty.

the Six Nations as reside within the United States. boundaries of the United States : for the United States do not interfere with nations, tribes, or families, of Indians, elsewhere resident.

In witness whereof, the said Timothy Pickering, and the sachems and war chiefs of the said Six Nations, have here-to set their hands and seals.

Done at Konondaigua, in the state of New-York, the eleventh day of November, in the year one thousand seven hundred and ninety-four.

Timothy Pickering,	l. s.
Onoyeahnee, his x mark,	l. s.
Konneatorteeooh, his x mark, or Handsome Lake,	l. s.
Tokenhyouhau, his x mark, alias Captain Key,	l. s.
Oneshauce, his x mark,	l. s.
Hendrick Aupaumut,	l. s.
David Neesoonhuk, his x mark,	l. s.
Kanatsoyh, alias Nicholas Kusik,	l. s.
Sohliooteoquent, his x mark,	l. s.
Ooduhitsait, his x mark,	l. s.
Konoohqung, his x mark,	l. s.
Tossonggaulolus, his x mark,	l. s.
John Skenendoa, his x mark,	l. s.
Oneatorleeooh, his x mark,	l. s.
Kussauwatau, his x mark,	l. s.
Eyootenyootauook, his x mark,	l. s.
Kohnyeaugong, his x mark, alias Jake Stroud,	l. s.
Shaguiesa, his x mark,	l. s.
Teeroos, his x mark, alias captain Prantup,	l. s.
Sooshaoowau, his x mark,	l. s.
Henry Young Brant, his x mark,	l. s.
Sonhyoowauna, his x mark, or Big Sky,	l. s.
Ouaahlah, his x mark,	l. s.
Hotoshahenh, his x mark,	l. s.
Kaukoudanaiya, his x mark,	l. s.
Nondiyauka, his x mark,	l. s.
Kossishtowau, his x mark,	l. s.
Oojaugenta, his x mark, or Fish Carrier,	l. s.
Toheonggo, his x mark,	l. s.
Ootaguasso, his x mark,	l. s.
Joonondauwaonch, his x mark,	l. s.
Kiyauhaonh, his x mark,	l. s.
Ootaujeaugenh, his x mark, or Broken Axe,	l. s.
Tauhoondos, his x mark, or Open the Way,	l. s.
Twaukewasha, his x mark,	l. s.
Sequidongquee, his x mark, alias Little Beard,	l. s.
Kodjeote, his x mark, or Half Town,	l. s.
Kenjauaugus, his x mark, or Stinking Fish,	l. s.
Soonohquaukau, his x mark,	l. s.
Twenniyana, his x mark,	l. s.
Jishkaaga, his x mark, or Green Grasshopper, alias Little Billy,	l. s.
Tuggehshotta, his x mark,	l. s.
Tehongyagauna, his x mark,	l. s.
Tehongyoowush, his x mark,	l. s.
Konneyoowesot, his x mark,	l. s.
Toohquottakauna, his x mark, or Woods on Fire,	l. s.
Taoundaudeesh, his x mark,	l. s.
Honayawus, his x mark, alias Farmer's Brother,	l. s.
Soggooyawauthau, his x mark, alias Red Jacket,	l. s.
Konyootiyoo, his x mark,	l. s.

Sauhtakaongyees, his x mark, or Two Skies of a length,,	l. s.
Ounnashattakau, his x mark,	l. s.
Kaungyanehquee, his x mark,	l. s.
Sooayoowau, his x mark,	l. s.
Kaujeagaonh, his x mark, or Heap of Dogs,	l. s.
Soonooohshoowau, his x mark,	l. s.
Thaoowaunias, his x mark,	l. s.
Soonongjoowau, his x mark,	l. s.
Kiantwhauka, his x mark, alias Cornplanter,	l. s.
Kaunehshonggoo, his x mark,	l. s.

Witnesses.

Israel Chapin,
 William Shepard, jr.
 James Smedley,
 John Wickham,
 Augustus Porter,
 James K. Garnsey,
 William Ewing,
 Israel Chapin, jr.
 Horatio Jones,
 Joseph Smith,
 Jasper Parish,
 Henry Abeele.

Interpreters.

No. 4. Contracts between the state of New York and different tribes of the Six Nations of Indians, specifying their several cessions and reservations of land, &c.

Contracts between New York and the Six Nations.

On the 19th of April, 1793, George Clinton, governor of New York, transmitted to Thomas Jefferson, secretary of state of the United States, an exemplification of the different treaties entered into by that commonwealth with the Indians of the Six Nations, subsequent to the conclusion of the war of the American revolution. In his letter to Mr. Jefferson, governor Clinton says, "I had written to the clerk of the city of Albany, and did not receive his answer until yesterday: He informs, as I suspected, that the superintendent of Indian affairs under the British government, was, at the commencement of the revolution, possessed of all the records and documents respecting Indian affairs, and took them with him when he left the country."

Letter from George Clinton to Thomas Jefferson.

The British superintendent took off the records of Indian affairs.

The exemplification, thus transmitted, contains a transcript from the record book of Indian deeds, remaining in the office of the secretary of the state of New York, and commencing in the year 1748. This transcript embraces,

1. A deed, executed by the sachems and chief warriors of the Oneida and Tuscarora nations, at a treaty held at fort Herkimer with George Clinton and other commissioners for Indian affairs for the state of New York, whereby the aforesaid sachems and chief warriors conveyed, on the 28th day of June, 1785, for the consideration of \$11,500, in goods and money, "all that tract of land situate on the west side of the line commonly called the line of property, established at a treaty held at fort

Deed from the Oneidas and Tuscaroras, at a treaty held at fort Herkimer, on the 28th June. 1785

Stanwix in 1768, and on the north side of the Pennsylvania line, beginning at the mouth of the Unadilla, or Tianaderha river, where the same empties into the Susquehanna river; thence up the said Unadilla, or Tianaderha river, ten miles measured on a strait line, thence due west to the Chenango river, thence southerly down the said Chenango river to where it empties into the said Susquehanna river, and to the said line, called the line of property, thence along the said line to the place of beginning; so as to comprehend all the land belonging to the Oneida and Tuscarora nations lying south of the said line to be run from the said Unadilla, or Tianaderha river, to the Chenango river, and north of the division line between the state of New York and the state of Pennsylvania; together with all ways, waters, water courses, rivers, rivulets, creeks, and streams, of water, and also all mines and minerals, which are or may be found thereon," &c.

Contracts with the Onondagas, at a treaty held at fort Schuyler, on the 12th of September, 1788.

2. A contract, executed by the tribe or nation of Indians called the Onondagas, at a treaty held at fort Schuyler, (formerly called fort Stanwix,) with George Clinton and William Floyd, Ezra L'Hommedieu, Richard Varick, Samuel Jones, Egbert Benson, and Peter Ganesvoort, jr. commissioners on behalf of the people of the state of New York, whereby the aforesaid Onondagas stipulated, on the 12th day of September, 1788, as follows: "*First*: the Onondagas do cede and grant all their lands to the people of the state of New York forever. *Secondly*: the Onondagas shall, of the said ceded lands, hold to themselves and their posterity, forever, for their own use and cultivation, but not to be sold, leased, or in any other manner aliened or disposed of to others, all that tract of land beginning at the southerly end of the Salt Lake, at the place where the river or stream on which the Onondagas now have their village, empties into the said lake, and runs from the said place of beginning east three miles, thence southerly according to the general course of the said river, until it shall intersect a line running east and west at the distance of three miles south from the said village, thence from the said point of intersection west nine miles, thence northerly parallel to the second course above mentioned, until an east line will strike the place of beginning, and thence east to the said place of beginning: *Thirdly*: the Onondagas and their posterity, forever, shall enjoy the free right of hunting in every part of the said ceded lands, and of fishing in all the waters within the same. *Fourthly*: the Salt Lake, and the lands for one mile round the same, shall forever remain for the common benefit of the people of the state of New York, and of the Onondagas and their posterity, for the purpose of making salt, and shall not be granted, or in any wise disposed of for other purposes. *Fifthly*: in consideration of the said cession and grant, the people of the state of New York do, at this treaty,

pay to the Onondagas, one thousand French crowns in money, and two hundred pounds in clothing, at the price which the same cost the people of the state of New York. And the people of the state of New York shall annually pay to the Onondagas and their posterity, forever, on the first day of June, in every year, at fort Schuyler, five hundred dollars in silver; but if the Onondagas, or their posterity, shall, at any time hereafter, elect, that the whole or any part of the said five hundred dollars shall be paid in clothing or provisions, and give six weeks' previous notice thereof to the governor of the said state for the time being, then, so much of the annual payment shall, for that time, be in clothing or provisions, as the Onondagas or their posterity shall elect, and at the price which the same shall cost the people of the state of New York, at fort Schuyler aforesaid. *Sixthly*: the people of the state of New York may, in such manner as they shall deem proper, prevent any persons, except the Onondagas, from residing or settling on the lands so to be held by the Onondagas and their posterity, for their own use and cultivation; and if any person shall, without the consent of the people of the state of New York, come to reside or settle on the said lands, or on any other of the lands so ceded, as aforesaid, the Onondagas and their posterity shall forthwith give notice of such intrusions to the governor of the said state for the time being; and further, the Onondagas and their posterity forever, shall, at the request of the governor of the said state, be aiding to the people of the state of New York in removing all such intruders, and in apprehending, not only such intruders, but also felons and other offenders, who may happen to be on the said ceded lands, to the end that such intruders, felons, and other offenders, may be brought to justice."

3. A contract, executed at a treaty held at fort Schuyler, (formerly fort Stanwix,) by the Oneida tribe or nation of Indians, on the 22d of September, 1788, with George Clinton, William Floyd, Ezra L'Hommedieu, Richard Varick, Samuel Jones, Egbert Benson, and Peter Gansevoort, junior, commissioners on behalf of the state of New York, by which the Oneidas entered into the following stipulations: "*First*: The Oneidas do cede and grant all their lands to the people of the state of New York, forever. *Secondly*: of the said ceded lands, the following tract to wit: beginning at the Wood creek opposite to the mouth of the Canada creek, and where the line of property comes to the said Wood creek, and runs thence southerly to the northwest corner of the tract to be granted to John Francis Perache, thence along the westerly bounds of the said tract to the southwest corner thereof, thence to the northwest corner of the tract granted to James Dean, thence along the westerly bounds thereof to the southwest corner of the last mentioned tract, thence due south until it intersects a due west line from

Contract with the Oneidas at a treaty held at fort Schuyler, on the 22d of September, 1788.

Contract with
the Oneidas,
at a treaty
held at fort
Schuyler, on
the 22d of
September,
1788.

the head of the Tianaderha or Unadilla river, thence from the said point of intersection due west until the Deep Spring bears due north, thence due north to the Deep Spring, thence the nearest course to the Canaseraga creek, and thence along the said creek, the Oneida lake and the Wood creek, to the place of beginning, shall be reserved for the following several uses; that is to say: the lands lying to the northward of a line parallel to the southern line of the said reserved lands, and four miles distant from the said southern line, the Oneidas shall hold to themselves and their posterity, forever, for their own use and cultivation, but not to be sold, leased, or in any other manner aliened or disposed of, to others. The Oneidas may, from time to time, forever, make leases of the lands between the said parallel lines, (being the residue of the said reserved lands,) to such persons, and on such rents reserved, as they shall deem proper, but no lease shall be for a longer term than twenty-one years from the making thereof; and no new lease shall be made until the former lease of the same lands shall have expired. The rents shall be to the use of the Oneidas and their posterity, forever. And the people of the state of New York shall, from time to time, make provision by law to compel the lessees to pay the rents, and in every other respect to enable the Oneidas and their posterity to have the full benefit of their right so to make leases and to prevent frauds on them respecting the same; and the Oneidas and their posterity, forever, shall enjoy the free right of hunting in every part of the said ceded lands, and of fishing in all the waters within the same; and, especially, there shall forever remain ungranted by the people of the state of New York, one half mile square, at the distance of every six miles of the lands along the northern bounds of the Oneida lake, one half mile in breadth of the lands on each side of the Fish creek, and a convenient piece of land at the fishing place in the Onondaga river, about three miles from where it issues out of the Oneida lake, and to remain as well for the Oneidas, and their posterity, as for the inhabitants of the said state to land and encamp on: But notwithstanding any reservation to the Oneidas, the people of the state of New York may erect public works and edifices as they shall think proper, at such place and places, at or near the confluence of the Wood creek and the Oneida lake, as they shall elect; and may take and appropriate for such works or buildings, lands to the extent of one square mile, at each place: and further, notwithstanding any reservations of lands to the Oneidas, for their own use, the New England Indians (now settled at Brotherton, under the pastoral care of the reverend Samson Occum) and their posterity forever, and the Stockbridge Indians and their posterity forever, are to enjoy their settlements on the lands heretofore given to them by the Oneidas for that purpose; that is to say: a tract of two miles in breadth and three

miles in length for the New England Indians, and a tract of six miles square for the Stockbridge Indians. *Thirdly*: in consideration of the said cession and grant, the people of the state of New York do, at this treaty, pay to the Oneidas two thousand dollars in money, two thousand dollars in clothing and other goods, and one thousand dollars in provisions; and also five hundred dollars in money, to be applied towards building a grist mill and saw mill, at their village: and the people of the state of New York shall annually pay to the Oneidas, and their posterity, forever, on the first day of June, in every year, at fort Schuyler, six hundred dollars in silver: but if the Oneidas, or their posterity, shall, at any time hereafter, elect that the whole, or any part, of the said six hundred dollars, shall be paid in clothing or provisions, and give six weeks' previous notice thereof to the governor of the said state for the time being, then so much of the annual payment shall, for that time, be in clothing or provisions, as the Oneidas and their posterity shall elect, and at the price which the same shall cost the people of the state of New York at fort Schuyler. And as a further consideration to the Oneidas, the people of the state of New York shall grant to the said John Francis Perache, a tract of land, beginning in the line of property, at a certain cedar tree, near the road leading to Oneida, and runs from the said cedar tree, southerly, along the line of property, two miles: then westerly, at right angles, to the said line of property, two miles; then northerly, at right angles, to the last course, two miles, and then to the place of beginning; which the said John Francis Perache hath consented to accept from the Oneidas, in satisfaction for an injury done to him by one of their nation. And further, the lands intended by the Oneidas for John T. Kirkland, and for George W. Kirkland, being now appropriated to the use of the Oneidas, the people of the state of New-York shall, therefore, by a grant of other lands, make compensation to the said John T. Kirkland and George W. Kirkland. And further, that the people of the state of New-York shall, as a benevolence from the Oneidas to Peter Penet, and in return for services rendered by him to their nation, grant to the said Peter Penet, of the said ceded lands lying to the northward of the Oneida lake, a tract of ten miles square, wherever he shall elect the same. *Fourthly*: the people of the state of New-York may, in such manner as they shall deem proper, prevent any persons, except the Oneidas, from residing or settling on the lands so to be held by the Oneidas and their posterity, for their own use and cultivation. And if any person shall, without the consent of the people of the state of New-York, come to reside or settle on the said lands, or on any other of the lands so ceded as aforesaid, except the lands whereof the Oneidas may make leases as aforesaid, the Oneidas and their posterity shall forthwith give notice of such intrusions to the governor of

Contract with
the Oneidas,
at a treaty
held at fort
Schuyler, on
the 22d of
September,
1788.

the said state for the time being. And further, the Oneidas and their posterity, forever, shall, at the request of the governor of the said state, be aiding to the people of the state of New-York, in removing all such intruders; and in apprehending, not only such intruders, but also felons, and other offenders, who may happen to be on the said ceded lands, to the end that such intruders, felons, and other offenders, may be brought to justice. Before the execution hereof, the Oneidas, in public council, declared to the commissioners, that they had, in return for his frequent good offices to them, given to John J. Bleecker, of the lands reserved for their own use, one mile square, adjoining to the lands of James Dean, and requested that the same might be granted and confirmed to him by the state."

Contract with the Cayugas, at a treaty held at Albany, on the 25th of February, 1789.

4. A contract executed by the sachems, chiefs, and warriors of the tribe or nation of Indians, called the Cayugas, at a treaty held in the city of Albany, with George Clinton, Pierre Van Courtlandt, Ezra L'Hommiedieu, Abraham Ten Broeck, John Hathorn, Samuel Jones, Peter Gansevoort, jun. and Egbert Benson, commissioners on behalf of the state of New-York, by which the said sachems, chiefs, and warriors of the Cayugas, covenanted, on the 25th of February, 1789, as follows: "*First*: the Cayugas do cede and grant all their lands to the people of the state of New-York, forever. *Secondly*: The Cayugas shall, of the said ceded lands, hold to themselves, and to their posterity, forever, for their own use and cultivation, but not to be sold, leased, or in any other manner aliened, or disposed of, to others, all that tract of land, beginning at the Cayuga salt spring, on the Seneka river, and running thence southerly, to intersect the middle of a line to be drawn from the outlet of Cayuga to the outlet of Waskongh, and from the said place of intersection, southerly, the general course of the eastern bank of the Cayuga lake, thence westerly, to intersect a line running on the west side of the Cayuga lake, at the mean distance of three miles from the western bank thereof, and from the said point of intersection, along the said line, so running on the west side of the Cayuga lake, to the Seneka river, thence down the said river to the Cayuga lake, thence through the said lake, to the outlet thereof, thence further down the said Seneka river, to the place of beginning, so as to comprehend within the limits aforesaid, and exclusive of the water of Cayuga lake, the quantity of one hundred square miles. Also, the place in the Seneka river, at or near a place called Skayes, where the Cayugas have heretofore taken eel; and a competent piece of land on the southern side of the river, at the said place, sufficient for the Cayugas to land and encamp on, and to cure their eel. Excepted, nevertheless, out of the said lands so reserved, one mile square, at the Cayuga ferry. *Thirdly*: the Cayugas and their posterity, forever, shall enjoy the free right of hunting in

every part of the said ceded lands, and of fishing in all the waters within the same. *Fourthly* : in consideration of the said cession and grant, the people of the state of New-York do, at this present treaty, pay to the Cayugas, five hundred dollars, in silver ; and the people of the state of New-York shall pay to the Cayugas, on the first day of June next, at fort Schuyler, (formerly called fort Stanwix,) the further sum of one thousand six hundred and twenty-five dollars ; and, also, the people of the state of New-York shall annually pay to the Cayugas, and their posterity, forever, on the first day of June, in every year thereafter, at fort Schuyler aforesaid, five hundred dollars in silver. But if the Cayugas, or their posterity, shall, at any time hereafter, elect that the whole, or any part of the said annual payment of five hundred dollars, shall be paid in clothing or provisions, and give six weeks' previous notice thereof to the governor of the said state for the time being, then so much of the annual payment shall, for that time, be in clothing or provisions, as the Cayugas or their posterity shall elect, and at the price which the same shall cost the people of the state of New-York, at fort Schuyler aforesaid. And, as a farther consideration to the Cayugas, the people of the state of New-York shall grant to their adopted child, Peter Ryckman, whom they have expressed a desire should reside near them, to assist them, and as a benevolence from them, the Cayugas, to him, and in return for services rendered by him to their nation, the said tract of one mile square at the Cayuga ferry excepted, out of the said lands reserved to the Cayugas for their own use and cultivation, that of a tract beginning on the west bank of the Seneka lake, thence running due west (passing one chain north of a house lately erected, and now in the occupation of the said Peter Ryckman) to the line of partition between this state of New-York and the commonwealth of Massachusetts, of the lands ceded to each other. thence due south along the said line of partition, thence due east to the Seneka lake, thence northerly along the bank of the said lake, to the place of beginning, so as to contain sixteen thousand acres. The people of the state of New-York shall grant three hundred and twenty acres to a white person married to a daughter of a Cayuga named Thaniowes, including the present settlement of the said person on the south side of Caghshion creek ; and that the people of the state of New-York shall grant the residue of the said tract of sixteen thousand acres to the said Peter Ryckman. *Fifthly* : the people of the state of New-York may, at all times hereafter, in such manner, and by such means, as they shall deem proper, prevent any person, except the Cayugas and their adopted brethren the Paanese, from residing or settling on the lands to be held by the Cayugas and their posterity, for their own use and cultivation : and if any persons shall, without the consent of the

Contract with
the Cayugas,
at a treaty
held at Alba-
ny, on the
25th of Feb-
ruary, 1789.

Contract with the Cayugas, at a treaty held at Albany, on the 25th of February, 1789.

people of the state of New-York, come to reside or settle on the said lands, or any other of the lands so ceded as aforesaid, the Cayugas and their posterity shall forthwith give notice of such intrusions to the governor of the said state for the time being; and further, the Cayugas and their posterity, forever, shall, at the request of the governor of the said state, be aiding to the people of the state of New-York in removing all such intruders; and apprehending, not only such intruders, but felons, and other offenders, who may happen to be on the said ceded lands, to the end that such intruders, felons, and other offenders, may be brought to justice. Notwithstanding the said reservation herein above specified to the Cayugas, it is declared to be the intent of the parties, that the Cayuga called the Fish Carrier, shall have a mile square of the said reserved lands, for the separate use of himself, and for the separate use of his family, forever. Before sealing and delivery hereof, it was, for the greater certainty, declared to be the intent of the parties, that this grant and cession is only of the lands eastward of the partition line abovementioned, between this state of New-York and the commonwealth of Massachusetts; and that, with respect to such part of their country as is to the westward of the said partition line, the right and property of the Cayugas to be the same as if this grant and cession had not been made. The Cayuga salt spring, and the land to the extent of one mile around the same, to remain for the common use and benefit of the people of the state of New-York, and of the Cayugas and their posterity forever. And the land to be reserved at the fishing place near Skayes, shall be of the extent of one mile on each side of the river, the above reservation of land on the southern side of the river, only, notwithstanding.

Acknowledgment, confirmation, &c. by the Cayugas; at a treaty held at fort Stanwix, on the 22d of June, 1790.

5. At a treaty held at fort Stanwix, on the 22d of June, 1790, between George Clinton, Pierre Van Courtlandt, Ezra L'Hommedieu, Abraham Ten Broeck, Peter Gansevoort, junior, and Richard Varick, commissioners on behalf of the state of New-York, and the sachems, chiefs, and warriors, of the tribe or nation of Indians, called the Cayugas, the latter acknowledged to have received from the people of the state of New-York, the sum of five hundred dollars in silver, being the annual payment stipulated to be made to the said Cayugas, by the (next preceding) contract of the 25th of February, 1789; and also the further sum of one thousand dollars, as a benevolence. To this acknowledgment is added the following stipulation: "And we, the said Cayugas, in consideration thereof, do, by these presents, fully, freely, and absolutely, ratify and confirm the said agreement and cession, and all and singular the articles, covenants, matters and things, therein expressed and contained, on the part of us, the said Cayugas, done, or to be done, executed, or performed: and we, the said Cayugas, do further

hereby grant and release, to the people of the state of New-York, all our right, interest, and claim, in and to all lands lying east of the line of cession by the state of New-York to the commonwealth of Massachusetts; except the lands mentioned in the deed of cession (of the 25th of February, 1789) to be reserved to us, the Cayugas, and our posterity."

6. At a council fire kindled at fort Stanwix, on the 16th day of June, 1790, at which were present, George Clinton, Pierre Van Courtlandt, Ezra L'Homedieu, Abraham Ten Broeck, Peter Gansevoort, junior, and Richard Varick, commissioners on behalf of the state of New-York, and the sachems, chiefs, and warriors, of the tribe or nation of Indians called the Onondagas, the latter acknowledged to have received from the people of the state of New-York, the sum of five hundred dollars, in silver, being the annual payment stipulated to be made to the said Onondagas, by the contract of the 12th of September, 1788; and also the further sum of five hundred dollars, as a benevolence: "and the said Onondagas do, by these presents, fully, freely, and absolutely, ratify and confirm the said agreement and deed of cession, and all and singular the articles, covenants, and things therein expressed and contained, on the part of the said Onondagas, done, or to be done, executed, or performed."

Acknowledgment and confirmation by the Onondagas, at a council fire kindled at fort Stanwix, on the 16th of June, 1790.

No. 5. A treaty between the United States, and the Oneida, Tuscarora, and Stockbridge Indians, dwelling in the country of the Oneidas.

Treaty with the Oneidas, Tuscaroras, and Stockbridges.

Whereas, in the late war between Great-Britain and the United States of America, a body of the Oneida, and Tuscarora, and the Stockbridge Indians, adhered faithfully to the United States, and assisted them with their warriors; and, in consequence of this adherence and assistance, the Oneidas and Tuscaroras, at an unfortunate period of the war, were driven from their homes, and their houses were burnt, and their property destroyed: and as the United States, in the time of their distress, acknowledged their obligations to these faithful friends, and promised to reward them; and the United States being now in a condition to fulfil the promises then made; the following articles are stipulated by the respective parties, for that purpose; to be in force when ratified by the President and Senate:

Sufferings of the Indians in their adherence to the United States, &c.

The United States fulfil their promises, &c.

Art. 1. The United States will pay the sum of five thousand dollars, to be distributed among individuals of the Oneida and Tuscarora nations, as a compensation for their individual losses and services during the late war between Great-Britain and the United States. The only man of the Kaughnawaugas now remaining in the Oneida country, as well as some few very meritorious persons of the Stockbridge Indians, will be considered in the distribution.

\$5,000 to the Oneidas and Tuscaroras.

A Kaughnawauga and the Stockbridges to be considered, &c.

Grist and saw
mills to be
erected by the
United States,
&c.

Art. 2. For the general accommodation of these Indian nations, residing in the country of the Oneidas, the United States will cause to be erected a complete grist mill and saw mill, in a situation to serve the present principal settlements of these nations. Or if such one convenient situation cannot be found, then the United States will cause to be erected two such grist mills and saw mills, in places where it is now known the proposed accommodation may be effected. Of this the United States will judge.

The United
States to pro-
vide for per-
sons three
years to ma-
nage the
mills, &c.

Art. 3. The United States will provide, during three years after the mills shall be completed, for the expense of employing one or two suitable persons to manage the mills, to keep them in repair, to instruct some young men of the three nations in the arts of the miller and sawyer, and to provide teams and utensils for carrying on the work of the mills.

\$1,000 to
build a church
at Oneida, &c.

Art. 4. The United States will pay one thousand dollars, to be applied in building a convenient church at Oneida, in the place of the one which was there burnt by the enemy, in the late war.

The Indians
satisfied, and
relinquish all
other claims to
compensation;
except, &c.

Art. 5. In consideration of the above stipulations, to be performed on the part of the United States, the Oneida, Tuscarora, and Stockbridge Indians aforementioned, now acknowledge themselves satisfied, and relinquish all other claims of compensation and rewards, for their losses and services in the late war: excepting only, the unsatisfied claims of such men of the said nations as bore commissions under the United States, for any arrears which may be due to them as officers.

In witness whereof, the chiefs of those nations, residing in the country of the Oneidas, and Timothy Pickering, agent for the United States, have hereto set their hands and seals, at Oneida, the second day of December, in the year one thousand seven hundred and ninety-four.

Timothy Pickering,

l. s.

WOLF TRIBE.

Odotsaihte, his x mark,

Konnoquenyau, his x mark,

John Skenendo, eldest war chief, his x mark,

} head sachems of the Oneidas.

l. s.

l. s.

l. s.

TURTLE TRIBE.

Shonohleyo, war chief, his x mark,

Peter Konnauterlook, sachem, his x mark,

Daniel Teouneslees, son of Skenendo, war chief, his x mark,

l. s.

l. s.

l. s.

BEAR TRIBE.

Lodowik Kohsauwetau, his x mark,

Cornelius Kauhiktoton, his x mark,

Thos. Osauhatagunlot, his x mark,

} war chiefs.

l. s.

l. s.

l. s.

TUSCARORAS.

Thaulondauwagou, sachem, his x mark,

Kanatjogh, or Nicholas Cusick, war chief, his x mark,

l. s.

l. s.

Witnesses to the signing and sealing of the agent of the United States, and of the chiefs of the Oneida and Tuscarora nations :

S. Kirkland,
James Dean, interpreter.

Witnesses to the signing and sealing of the four chiefs of the Stockbridge Indians, whose names are below :

Saml. Kirkland,
John Sergeant.

STOCKBRIDGE INDIANS.

Hendrick Aupaumut,	l. s.
Joseph Quonney,	l. s.
John Konkapot,	l. s.
Jacob Konkapot,	l. s.

No. 6. At a treaty held at the city of New-York, with the nations or tribes of Contract be-
Indians, denominating themselves the Seven Nations of Canada ; Abraham tween New-
Ogden, commissioner, appointed under the authority of the United States, York and the
to hold the treaty, Ohnawio, alias Goodstream, Tcharagwanegen, alias Seven Nations
Thomas Williams, two chiefs of the Caghnawagas ; Atiatoharongwan, alias made under
colonel Lewis Cook, a chief of the St. Regis Indians, and William Gray, the sanction of
deputies, authorized to represent the Seven Nations or tribes of Indians at the United
the treaty, and Mr. Gray, serving also as interpreter ; Egbert Benson, Rich- States,*
ard Varick, and James Watson, agents for the state of New-York ; William
Constable and Daniel M'Cormick, purchasers under Alexander Macomb :

The agents for the state having, in the presence and with the approbation of the commissioner, proposed to the deputies for the Indians the compensation hereinafter mentioned, for the extinguishment of their claim to all lands within the state, and the said deputies being willing to accept the same, it is thereupon granted, agreed, and concluded, between the said deputies and the said agents, as follows: the said deputies do, for and in the name of the said Seven Nations or tribes of Indians, cede, release, and quit claim to the people of the state of New-York, forever, all the claim, right, or title of them, the said Seven Nations or tribes of Indians, to lands within the said state: provided nevertheless, that the tract equal to six miles square, reserved in the sale made by the commissioners of the land office of the said state, to Alexander Macomb, to be applied to the use of the Indians of the village of St Regis, shall still remain so reserved. The said agents do, for and in the name of the people of the state of New-York, grant to the said

Cession by
the Seven Na-
tions, to the
state of New-
York, of lands
within that
state.

Proviso, as to
the tract re-
served to
Alexander
Macomb,

* By act of March 30, 1802, "to regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontiers," no purchase of lands from Indian tribes or nations is valid in law or equity, unless made by treaty, pursuant to the constitution; and it is made a misdemeanor in any person, not employed under the authority of the United States, to treat with any Indian nation, or tribe of Indians, for the title or purchase of any lands by them held or claimed, punishable by fine and imprisonment. See the act referred to, among the laws in this volume, following the treaties, sec. 12. See also Constitution of the United States, clause 2, sec. 2, art. 2. Laws U. S. vol. 1. p. 67.

The state of
New-York to
pay 1,233*l.*
6*s.* 8*d.* and
213*l.* 6*s.* 8*d.*
and a like an-
nuity forever.

Proviso; as to
the presence
of Indian de-
puties to re-
ceive pay-
ment, &c.

Reservations
for the In-
dians of the
village of St.
Regis.

Seven Nations or tribes of Indians, that the people of the state of New-York shall pay to them, at the mouth of the river Chazy, on Lake Champlain, on the third Monday in August next, the sum of one thousand two hundred and thirty-three pounds six shillings and eight-pence, and the further sum of two hundred and thirteen pounds six shillings and eight pence, lawful money of the said state; and on the third Monday in August, yearly, forever thereafter, the like sum of two hundred and thirteen pounds six shillings and eight pence: provided nevertheless, that the people of the state of New-York shall not be held to pay the said sums, unless, in respect to the two sums to be paid on the third Monday in August next, at least twenty, and in respect to the said yearly sum to be paid thereafter, at least five, of the principal men of the said Seven Nations or tribes of Indians, shall attend as deputies to receive and to give receipts for the same: the said deputies having suggested, that the Indians of the village of St. Regis have built a mill on Salmon river, and another on Grass river, and that the meadows on Grass river are necessary to them for hay; in order, therefore, to secure to the Indians of the said village, the use of the said mills and meadows, in case they should hereafter appear not to be included within the above tract so to remain reserved; it is, therefore, also agreed and concluded between the said deputies, the said agents, and the said William Constable and Daniel McCormick, for themselves and their associates, purchasers under the said Alexander Macomb, of the adjacent lands, that there shall be reserved, to be applied to the use of the Indians of the said village of St. Regis, in like manner as the said tract is to remain reserved, a tract of one mile square, at each of the said mills, and the meadows on both sides of the said Grass river, from the said mill thereon to its confluence with the river St. Lawrence.

In testimony whereof, the said commissioner, the said deputies, the said agents, and the said William Constable and Daniel McCormick, have hereunto, and to two other acts of the same tenor and date, one to remain with the United States, another to remain with the state of New-York, and another to remain with the said Seven Nations or tribes of Indians, set their hands and seals, in the city of New-York, the thirty-first day of May, in the twentieth year of the independence of the United States, one thousand seven hundred and ninety-six.

Abraham Ogden,
Egbert Benson,
Richard Varick,
James Watson,
William Constable,
Daniel McCormick.

l. s.
l. s.
l. s.
l. s.
l. s.
l. s.

Ohaweio, alias Goodstream, his x mark,	l. s.
Otiatokarongwan, alias col. Lewis Cook, his x mark,	l. s.
William Gray,	l. s.
Teharagwanegen, alias Thos. Williams, his x mark,	l. s.

Signed, sealed, and delivered, in the presence of

Samuel Jones, recorder of the city of New-York,

John Tayler, recorder of the city of Albany,

Joseph Ogden Hoffman, attorney general of the state of New-York.

No. 7. Relinquishment to New York, by the Mohawk nation of Indians, under the sanction of the United States of America, of all claim to lands in that state.

Relinquish-
ment of all
claim to lands
in New York
by the Mo-
hawks.

At a treaty held under the authority of the United States,* with the Mohawk nation of Indians, residing in the province of Upper Canada, within the dominions of the king of Great Britain, present the honorable Isaac Smith, commissioner appointed by the United States to hold this treaty; Abraham Ten Broeck, Egbert Benson, and Ezra L'Hommedieu, agents for the state of New York; captain Joseph Brandt, and captain John Deserontyon, two of the said Indians and deputies to represent the said nation at this treaty.

[*See note to
the preceding
treaty No. 6,
at the bottom
of the page.]

The said agents having, in the presence, and with the approbation of the said commissioner, proposed to and adjusted with the said deputies, the compensation as hereinafter mentioned to be made to the said nation, for their claim, to be extinguished by this treaty, to all lands within the said state: it is thereupon finally agreed and done, between the said agents, and the said deputies, as follows, that is to say: the said agents do agree to pay to the said deputies, the sum of one thousand dollars, for the use of the said nation, to be by the said deputies paid over to, and distributed among, the persons and families of the said nation, according to their usages. The sum of five hundred dollars, for the expenses of the said deputies, during the time they have attended this treaty: and the sum of one hundred dollars, for their expenses in returning, and for conveying the said sum of one thousand dollars, to where the said nation resides. And the said agents do accordingly, for and in the name of the people of the state of New York, pay the said three several sums to the said deputies, in the presence of the said commissioner. And the said deputies do agree to cede and release, and these presents witness, that they accordingly do, for and in the name of the said nation, in consideration of the said compensation, cede and release to the people of the state of New York, forever, all the right or title of the said nation to lands within the said state: and the claim of the said nation to lands within the said state, is hereby wholly and finally extinguished.

The agents of
New York
pay to the
Mohawk de-
puties \$1000
and their ex-
penses.

The Mo-
hawks cede
all right, title,
&c. forever.

In testimony whereof, the said commissioner, the said agents, and the said deputies, have hereunto, and to two other acts of the same tenor and date, one to remain with the United States, one to remain with the said state, and one delivered to the said deputies, to remain with the said nation, set their hands and seals, at the city of Albany, in the said state, the twenty-ninth day of March, in the year one thousand seven hundred and ninety-seven.

Witnesses.

Robert Yates,
John Tayler,
Chas. Williamson,
Thomas Morris

Isaac Smith,	l. s.
Abm. Ten Broeck,	l. s.
Eggt. Benson,	l. s.
Ezra L'Hommiedieu,	l. s.
Jos. Brandt,	l. s.
John Deserontyon,	l. s.

The mark of x John Abeel, alias the Cornplanter, a *chief of the Senecas.*

Contract between Wilhem Willink, and others, and the Senecas.

No. 8. This indenture, made the thirtieth day of June, in the year of our Lord one thousand eight hundred and two, between the sachems, chiefs, and warriors of the Seneca nation of Indians, of the first part, and Wilhem Willink, Pieter Van Eeghen, Hendrik Vollenhoven, W. Willink, the younger, I. Willink, the younger, (son of Jan,) Jan Gabriel Van Staphorst, Roelof Van Staphorst, the younger, Cornelis Vollenhoven, and Hendrik Seye, all of the city of Amsterdam and republic of Batavia, by Joseph Ellicott, esquire, their agent and attorney, of the second part.

Reference to the authority of the United States, under whose sanction this contract was made.

[*See note to No. 6, of this chapter, at the bottom of the page.]

Whereas, at a treaty held under the authority of the United States, with the said Seneca nation of Indians, at Buffalo creek, in the county of Ontario and state of New York, on the day of the date of these presents, by the honorable John Tayler, esquire, a commissioner appointed by the president of the United States to hold the same in pursuance of the constitution, and of the act* of the congress of the United States in such case made and provided, a convention was entered into in the presence and with the approbation of the said commissioner, between the said Seneca nation of Indians and the said Wilhem Willink, Pieter Van Eeghen, Hendrik Vollenhoven, W. Willink, the younger, I. Willink, the younger, (son of Jan,) Jan Gabriel Van Staphorst, Roelof Van Staphorst, the younger, Cornelis Vollenhoven, and Hendrik Seye, by the said Joseph Ellicott, their agent and attorney, lawfully constituted and appointed for that purpose.

The Senecas exchange, cede, &c. to Wilhem Willink, and others, the lands herein described.

Now this indenture witnesseth, That the said parties of the first part, for and in consideration of the lands hereinafter described, do hereby exchange, cede, and forever quit claim to the said parties of the second part, their heirs and assigns, all those lands situate, lying, and being, in the county of Ontario and state of New York, being part of the lands described and reserved by the said parties of the first part, in a treaty or convention held by the honorable Jeremiah Wadsworth, esquire, under the authority of the United States, on the Genesee river,

the 15th day of September, one thousand seven hundred and ninety-seven,* in the words following, viz.

"Beginning at the mouth of the Eighteen mile or Koghquawgu creek, thence a line or lines to be drawn parallel to lake Erie, at the distance of one mile from the lake, to the mouth of Cataraugos creek, thence a line or lines extending twelve miles up the north side of said creek, at the distance of one mile therefrom, thence a direct line to the said creek, thence down the said creek to lake Erie, thence along the lake to the first mentioned creek, and thence to the place of beginning. Also, one other piece at Cataraugos, beginning at the shore of lake Erie, on the south side of Cataraugos creek, at the distance of one mile from the mouth thereof, thence running one mile from the lake, thence, on a line parallel thereto, to a point within one mile from the Connondauweyea creek, thence up the said creek one mile, on a line parallel thereto, thence on a direct line to the said creek, thence down the same to lake Erie, thence along the lake to the place of beginning;" reference being thereunto had will fully appear. Together with all and singular the rights, privileges, hereditaments, and appurtenances thereunto belonging, or in any wise appertaining. And all the estate, right, title, and interest whatsoever, of them, the said parties of the first part, and their nation, of, in, and to the said tracts of land, above described, to have and to hold all and singular the said granted premises, with the appurtenances, to the said parties of the second part, their heirs and assigns, to their only proper use, benefit, and behoof, forever.

And in consideration of the said lands described and ceded as aforesaid, the said parties of the second part, by Joseph Ellicott, their agent and attorney as aforesaid, do hereby exchange, cede, release, and quit claim to the said parties of the first part and their nation, (the said parties of the second part reserving to themselves the right of pre-emption,) all that certain tract or parcel of land, situate as aforesaid. Beginning at a post marked No. O. standing on the bank of lake Erie, at the mouth of Cataraugos creek, and on the north bank thereof: thence along the shore of said lake north 11° east 21 chains; north 13° east 45 chains; north 19° east 14 chains 65 links to a post; thence east 119 chains to a post; thence south 14 chains 27 links to a post; thence east 640 chains to a post, standing in the meridian between the 8th and 9th ranges; thence along said meridian, south 617 chains 75 links to a post standing on the south bank of Cataraugos creek; thence west 160 chains to a post; thence north 290 chains 25 links to a post; thence west 482 chains 31 links to a post; thence north 219 chains 50 links to a post stand-

Lines of the lands exchanged, &c. by the Senekas.

Wilhem Wil- link, and others, exchange, cede, &c. the lands herein described, to the Senekas; with reservation of right of pre-emption.

* See the "treaty or convention" referred to, annexed to this contract, numbered 9, and entitled "Contract," &c. "between Robert Morris and the Seneca nation of Indians."

ing on the north bank of Cataraugos creek; thence down the same and along the several meanders thereof to the place of beginning. To hold to the said parties of the first part, in the same manner and by the same tenure, as the lands reserved by the said parties of the first part in and by the said treaty or convention, entered into on Genesee river, the 15th day of September, one thousand seven hundred and ninety-seven, as aforesaid, were intended to be held.

In testimony whereof, the parties to these presents have hereunto, and to two other indentures of the same tenor and date, one to remain with the United States, one to remain with the said parties of the first part, and one other to remain with the said parties of the second part, interchangeably set their hands and seals the day and year first above written.

Conneatiu, his x mark,	l. s.
Koentwahka, or Corn Planter, his x mark,	l. s.
Wondongoohka, his x mark,	l. s.
Tekonnondou, his x mark,	l. s.
Tekiandau, his x mark,	l. s.
Sagooyes, his x mark,	l. s.
Towyoauna, or Blue Sky, his x mark,	l. s.
Royingquaatah, or Young King, his x mark.	l. s.
Kaundoowand, or Pollard, his x mark,	l. s.
Connawaudeau, his x mark,	l. s.
Soonoyou, his x mark,	l. s.
Auwennausa, his x mark,	i. s.
Soogooyawautau, or Red Jacket, his x mark,	l. s.
Coshkoutough, his x mark,	l. s.
Teyokaihossa, his x mark,	l. s.
Onayawos, or Farmer's Brother, his x mark,	l. s.
Sonauoies, his x mark,	l. s.
Gishkaka, or Little Billy, his x mark,	l. s.
Sussaowau, his x mark,	l. s.
Wilhem Willink,	
Pieter Van Eeghen,	
Hendrik Vollenhoven,	
W. Willink, <i>the younger</i> ,	
I. Willink, <i>the younger</i> , (<i>son of Jan</i>),	
Jan Gabriel Van Staphorst,	
Ruelof Van Staphorst, <i>the younger</i> ,	
Cornelis Vollenhoven, and	
Hendrik Seye, <i>by their attorney</i> ,	
Joseph Ellicott,	l. s.

Sealed and delivered in the presence of

John Thomson,
Israel Chapin,
James W. Stevens,
Horatio Jones, } *interpreters.*
Jaspar Parrish, }

Done at a full and general treaty of the Seneka nation of Indians, held at Buffalo creek, in the county of Ontario, and state of New York, on the thirtieth day of June, in the year of our Lord one thousand eight hundred and two, under the authority of the United States.

In testimony whereof, I have hereunto set my hand and seal the day and year aforesaid.

JOHN TAYLER, [l. s.]

No. 9. Contract entered into under the sanction of the United States of America, between Robert Morris and the Seneka nation of Indians. Contract between Robert Morris and the Senekas.

This indenture, made the fifteenth day of September, in the year of our Lord one thousand seven hundred and ninety-seven, between the sachems, chiefs, and warriors of the Seneka nation of Indians, of the first part, and Robert Morris, of the city of Philadelphia, esquire, of the second part.

Whereas the commonwealth of Massachusetts have granted, bargained, and sold unto the said Robert Morris, his heirs and assigns, forever, the pre-emptive right, and all other the right, title, and interest, which the said commonwealth had to all that tract of land hereinafter particularly mentioned, being part of a tract of land lying within the state of New York, the right of pre-emption of the soil whereof, from the native Indians, was ceded and granted by the said state of New York, to the said commonwealth: and whereas, at a treaty held under the authority of the United States, with the said Seneka nation of Indians, at Genesee, in the county of Ontario, and state of New York, on the day of the date of these presents, and on sundry days immediately prior thereto, by the honorable Jeremiah Wadsworth, esquire, a commissioner appointed by the president of the United States to hold the same, in pursuance of the constitution, and of the act* of the congress of the United States, in such case made and provided, it was agreed, in the presence and with the approbation of the said commissioner, by the sachems, chiefs, and warriors of the said nation of Indians, for themselves and in behalf of their nation, to sell to the said Robert Morris, and to his heirs and assigns, forever, all their right to all that tract of land above recited, and hereinafter particularly specified, for the sum of one hundred thousand dollars, to be by the said Robert Morris vested in the stock of the Bank of the United States, and held in the name of the president of the United States, for the use and behoof of the said nation of Indians, the said agreement and sale being also made in the presence, and with the approbation of the honorable William Shepard, esquire, the superintendent appointed for such purpose, in pursuance of a resolve of the general court of the commonwealth of Massachusetts, passed the eleventh day of March, in the year of our Lord one thousand seven hundred and ninety-one: now this indenture witnesseth, that the said parties, of the first part, for and in consideration of the premises above recited, and for divers other good and valuable considerations them thereunto moving, have granted, bargained, sold, aliened, released, enfeoffed, and confirmed; and by these presents do grant, bargain, sell, alien, release, enfeoff, and confirm, unto the said party of the second part, his heirs and assigns, forever, all that certain tract of land, except as is hereinafter excepted, lying within the county of Ontario, and state of New York, being part

(*See note to No. 6 of this chapter at the bottom of the page.)

Robert Morris to vest \$100,000 in bank stock for the use of the Senekas, &c.

Boundary of
the lands sold
to Robert
Morris.

Reservations
to the Sene-
kas.

of a tract of land, the right of pre-emption whereof was ceded by the state of New York to the commonwealth of Massachusetts, by deed of cession executed at Hartford, on the sixteenth day of December, in the year of our Lord one thousand seven hundred and eighty-six, being all such part thereof as is not included in the Indian purchase made by Oliver Phelps and Nathaniel Gorham, and bounded as follows, to wit: easterly, by the land confirmed to Oliver Phelps and Nathaniel Gorham by the legislature of the commonwealth of Massachusetts, by an act passed the twenty-first day of November, in the year of our Lord one thousand seven hundred and eighty-eight; southerly, by the north boundary line of the state of Pennsylvania; westerly, partly by a tract of land, part of the land ceded by the state of Massachusetts to the United States, and by them sold to Pennsylvania, being a right angled triangle, whose hypothenuse is in or along the shore of lake Erie; partly by lake Erie, from the northern point of that triangle to the southern bounds of a tract of land one mile in width, lying on and along the east side of the strait of Niagara, and partly by the said tract to lake Ontario; and on the north by the boundary line between the United States and the king of Great Britain; excepting nevertheless, and always reserving out of this grant and conveyance, all such pieces or parcels of the aforesaid tract, and such privileges thereunto belonging, as are next hereinafter particularly mentioned, which said pieces or parcels of land so excepted, are, by the parties to these presents, clearly and fully understood to remain the property of the said parties of the first part, in as full and ample manner as if these presents had not been executed: that is to say, excepting and reserving to them, the said parties of the first part, and their nation, one piece or parcel of the aforesaid tract, at Canawagus, of two square miles, to be laid out in such manner as to include the village, extending in breadth one mile along the river; one other piece or parcel at Big Tree, of two square miles, to be laid out in such manner as to include the village, extending in breadth along the river one mile; one other piece or parcel of two square miles at Little Beard's town, extending one mile along the river, to be laid off in such manner as to include the village; one other tract of two square miles, at Squawky Hill, to be laid off as follows, to wit: one square mile to be laid off along the river, in such manner as to include the village, the other directly west thereof and contiguous thereto; one other piece or parcel at Gardeau,* beginning at the mouth of Steep Hill creek, thence due east until it strikes the old path, thence south until a due west line will intersect with certain steep rocks on the west side of Genesee river, then extending due west, due north, and due east, until it strikes the

* This reservation was sold by the Senecas, September 3, 1823, to John Greig and Henry B. Gibson. See post. No. 11, of this chapter.

first mentioned bound, enclosing as much land on the west side as on the east side of the river. One other piece or parcel at Kaounadeau, extending in length eight miles along the river and two miles in breadth. One other piece or parcel at Cataraugos, beginning at the mouth of the Eighteen mile or Koghquaugu creek, thence a line or lines to be drawn parallel to lake Erie, at the distance of one mile from the lake, to the mouth of Cataraugos creek, thence a line or lines extending twelve miles up the north side of said creek at the distance of one mile therefrom, thence a direct line to the said creek, thence down the said creek to lake Erie, thence along the lake to the first mentioned creek, and thence to the place of beginning. Also, one other piece at Cataraugos, beginning at the shore of lake Erie, on the south side of Cataraugos creek, at the distance of one mile from the mouth thereof, thence running one mile from the lake, thence on a line parallel thereto to a point within one mile from the Connondauweyca creek, thence up the said creek one mile, on a line parallel thereto, thence on a direct line to the said creek, thence down the same to lake Erie, thence along the lake to the place of beginning. Also one other piece or parcel of forty-two square miles, at or near the Allegenny river. Also, two hundred square miles, to be laid off partly at the Buffalo and partly at the Tannawanta creeks. Also excepting and reserving to them, the said parties of the first part and their heirs, the privilege of fishing and hunting on the said tract of land hereby intended to be conveyed. And it is hereby understood by and between the parties to these presents, that all such pieces or parcels of land as are hereby reserved, and are not particularly described as to the manner in which the same are to be laid off, shall be laid off in such manner as shall be determined by the sachems and chiefs residing at or near the respective villages where such reservations are made, a particular note whereof to be endorsed on the back of this deed, and recorded therewith, together with all and singular the rights, privileges, hereditaments, and appurtenances thereunto belonging, or in anywise appertaining. And all the estate, right, title, and interest whatsoever, of them the said parties of the first part and their nation, of, in, and to the said tract of land above described, except as is above excepted, to have and to hold all and singular the said granted premises, with the appurtenances, to the said party of the second part, his heirs and assigns, to his and their proper use, benefit, and behoof forever.

(†This is a tract exchanged, ceded, &c. to Wilhem Willink, and others, by the preceding contract, No. 8, to which this is annexed.)

(‡And this is another tract so exchanged, &c. by the preceding contract, &c.)

In witness whereof, the parties to these presents have hereunto interchangeably set their hands and seals, the day and year first above written.

Robert Morris, by his attorney, Thomas Morris,
Koyengqualtah, als. Young King, his x mark,

l. s.
l. s.

Soonookshewan, his x mark,	1. s.
Konutaico, als. Handsome Lake, his x mark,	1. s.
Sattakanguyase, als. Two Skies of a length, his x mark,	1. s.
Onayawos, or Farmer's Brother, his x mark,	1. s.
Soogooyawautau, als. Red Jacket, his x mark,	1. s.
Gishkaka, als. Little Billy, his x mark,	1. s.
Kaoundoowana, als. Pollard, his x mark,	1. s.
Ouncashataikau, or Tall Chief, by his agent, Stevenson, his x mark,	1. s.
Teahdowauggua, als. Thos. Jemison, his x mark,	1. s.
Onnonggaiheko, als. Infant, his x mark,	1. s.
Tekonnondee, his x mark,	1. s.
Oneghtangooau, his x mark,	1. s.
Connawaudeau, his x mark,	1. s.
Taosstaiefi, his x mark,	1. s.
Koecentwahka, or Corn Planter, his x mark,	1. s.
Oosukaunendauki, als. to Destroy a Town, his x mark,	1. s.
Soocoowa, alias Parrot Nose, his x mark,	1. s.
Toonahookahwa, his x mark,	1. s.
Howwennounew, his x mark,	1. s.
Kounahkaetoue, his x mark,	1. s.
Taouyaukauna, his x mark,	1. s.
Woudougoohtka, his x mark,	1. s.
Sonauhquaukau, his x mark,	1. s.
Twaunaiyana, his x mark,	1. s.
Takaunoudea, his x mark,	1. s.
Shequinedaughque, or Little Beard, his x mark,	1. s.
Jowaa, his x mark,	1. s.
Saunajee, his x mark,	1. s.
Tauiyuquatakausa, his x mark,	1. s.
Taoundandish, his x mark,	1. s.
Tooaquinda, his x mark,	1. s.
Ahtaou, his x mark,	1. s.
Taukooshoondakoo, his x mark,	1. s.
Kauneskanggo, his x mark,	1. s.
Soononjuwau, his x mark,	1. s.
Tonowaiya, or Captain Bullet, his x mark,	1. s.
Jaahkaeyas, his x mark,	1. s.
Taugihshanta, his x mark,	1. s.
Sukkenjoonau, his x mark,	1. s.
Ahquaieya, or Hot Bread, his x mark,	1. s.
Suggonundau, his x mark,	1. s.
Taunowaintool, his x mark,	1. s.
Konnonjoowauna, his x mark,	1. s.
Soogoeyaudestak, his x mark,	1. s.
Hautwanauekkau, by Young King, his x mark,	1. s.
Sauwejuwau, his x mark,	1. s.
Kaunoohshauwen, his x mark,	1. s.
Taukonondauekta, his x mark,	1. s.
Kaouvanoughque, or John Jemison, his x mark,	1. s.
Hoiegush, his x mark,	1. s.
Taknaahiquau, his x mark,	1. s.

Sealed and delivered in presence of

Nat. W. Howell,
 Joseph Ellicott,
 Israel Chapin,
 James Rees,
 Henry Aaron Hills,
 Henry Abbel,
 Jasper Parrish, } *interpreters.*
 Horatio Jones,

Done at a full and general treaty of the Seneka nation of Indians, held at Genesee, in the county of Ontario, and state of New York, on the fifteenth day of September, in the year of our Lord one thousand seven hundred and ninety-seven, under the authority of the United States.

In testimony whereof, I have hereunto set my hand and seal, the day and year aforesaid.

JERE. WADSWORTH, [L. s.]

Pursuant to a resolution of the legislature of the commonwealth of Massachusetts, passed the eleventh day of March, in the year of our Lord, one thousand seven hundred and ninety-one, I have attended a full and general treaty of the Seneka nation of Indians, at Genesee, in the county of Ontario, when the within instrument was duly executed in my presence by the sachems, chiefs, and warriors of the said nation, being fairly and properly understood and transacted by all the parties of Indians concerned, and declared to be done to their universal satisfaction: I do therefore certify and approve of the same.

WILLIAM SHEPARD.

Subscribed in presence of

NAT. W. HOWELL.

No. 10 At a treaty held under the authority of the United States, at Buffalo Contract creek, in the county of Ontario, and state of New York, between the tween Oliver sachems, chiefs, and warriors of the Seneka nation of Indians, on behalf of Phelps, and said nation, and Oliver Phelps, esquire, of the county of Ontario, Isaac Bron- others, and son, esquire, of the city of New York, and Horatio Jones, of the said coun- the Senekas. ty of Ontario, in the presence of John Tayler, esquire, commissioner appointed by the president of the United States for holding said treaty.

Know all men by these presents, that the said sachems, chiefs, Oliver Phelps, and warriors, for and in consideration of the sum of twelve hun- Isaac Bron- dred dollars, lawful money of the United States, unto them in son, and Ho- hand paid by the said Oliver Phelps, Isaac Bronson, and Hora- ratio Jones, tio Jones, at or immediately before the sealing and delivery pay \$1,200 to the Senekas. hereof, the receipt whereof is hereby acknowledged, have and by these presents do grant, remise, release, and forever quit claim and confirm unto the said Oliver Phelps, Isaac Bronson, and Horatio Jones, and to their heirs and assigns, all that tract of land commonly called and known by the name of Little Beard's re- Description of a tract of land servation, situate, lying, and being, in the said county of Ontario, granted and confirmed to bounded on the east by the Genesee river and Little Beard's Oliver Phelps, creek, on the south and west by other lands of the said parties Isaac Bron- of the second part, and on the north by Big Tree reservation; * son, and Ho- containing two square miles, or twelve hundred and eighty acres, ratio Jones. together with all and singular the hereditaments and appurtenan- (* See preced- ces whatsoever thereunto belonging, or in anywise appertaining, ing contract, No. 9.)

to hold to them the said Oliver Phelps, Isaac Bronson, and Horatio Jones, their heirs and assigns, to the only proper use and behoof of them the said Oliver Phelps, Isaac Bronson, and Horatio Jones, their heirs and assigns forever.

In testimony whereof, the said commissioner and the said parties have hereunto, and to two other instruments of the same tenor and date, one to remain with the United States, one to remain with the Seneka nation of Indians, and one to remain with the said Oliver Phelps, Isaac Bronson, and Horatio Jones, interchangeably set their hands and seals. Dated the 30th day of June, in the year of our Lord one thousand eight hundred and two.

Conneatiu, his x mark,	l. s.
Koecentwahika, or Corn Planter, his x mark,	l. s.
Wondongoolikta, his x mark,	l. s.
Tekonnondu, his x mark,	l. s.
Tekiaindau, his x mark,	l. s.
Sagooyes, his x mark,	l. s.
Tonyocauna, or Blue Sky, his x mark,	l. s.
Royingquautah, or Young King, his x mark,	l. s.
Soogyawautau, or Red Jacket, his x mark,	l. s.
Onayawos, or Farmer's Brother, his x mark,	l. s.
Kaundoowand, or Pollard, his x mark,	l. s.
Auwennausa, his x mark,	l. s.

Sealed and delivered in the presence of.

John Thomson,
James W. Stevens,
Israel Chapin,
Jasper Parrish, *interpreter.*

Contract between the Seneka nation, and John Greig and H. B. Gibson.

[See note to No. 6, of this chapter, at the bottom of the page.]

John Greig, and Henry B. Gibson, pay \$4286 to the Senekas.

No. 11. At a treaty, held under the authority of the United States* at Moscow, in the county of Livingston, in the state of New-York, between the sachems, chiefs, and warriors of the Seneka nation of Indians in behalf of said nation, and John Greig and Henry B. Gibson of Canandaigua in the county of Ontario; in the presence of Charles Carroll, esquire, commissioner appointed by the United States for holding said treaty, and of Nathaniel Gorham, esquire, superintendent, in behalf of the state of Massachusetts.

Know all men by these presents, that the said sachems, chiefs, and warriors, for and in consideration of the sum of four thousand two hundred and eighty-six dollars, lawful money of the United States, to them in hand paid by the said John Greig and Henry B. Gibson, at or immediately before the ensealing and delivery of these presents, the receipt whereof is hereby acknowledged, have granted, bargained, sold, aliened, released, quit claimed and confirmed unto the said John Greig and Henry B. Gibson, and by these presents do grant, bargain, sell, alien, release, quit claim, and confirm, unto the said John Greig and Henry B. Gibson, their heirs and assigns, forever, all that tract, piece or parcel of land commonly called and known by the name

of the Gardeau reservation,* situate, lying and being in the counties of Livingston and Genesee, in the state of New-York; bounded as follows, that is to say: beginning at the mouth of Steep Hill creek, thence due east, until it strikes the Old Path, thence south until a due west line will intersect with certain steep rocks on the west side of Genesee river, thence extending due west, due north, and due east, until it strikes the first mentioned bound, enclosing as much land on the west side as on the east side of the river, and containing according to the survey and measurement made of the same by Augustus Porter, surveyor, seventeen thousand nine hundred and twenty-seven 187-160 acres, be the same more or less: excepting nevertheless, and always reserving out of this grant and conveyance, twelve hundred and eighty acres of land, bounded as follows, that is to say: on the east by Genesee river, on the south by a line running due west from the centre of the Big Slide so called, on the north by a line parallel to the south line and two miles distant therefrom, and on the west by a line running due north and south, and at such a distance from the river as to include the said quantity of twelve hundred and eighty acres and no more; which said twelve hundred and eighty acres are fully and clearly understood, to remain the property of the said parties of the first part, and their nation, in as full and ample a manner, as if these presents had not been executed: together with all and singular the rights, privileges, hereditaments, and appurtenances, to the said hereby granted premises belonging or in anywise appertaining, and all the estate, right, title, and interest, whatsoever, of them the said parties of the first part, and of their nation, of, in, and to, the said tract of land above described, except as is above excepted. To have and to hold all and singular the above granted premises with the appurtenances, unto the said John Greig and Henry B. Gibson, their heirs and assigns to the sole and only proper use, benefit, and behoof, of the said John Greig and Henry B. Gibson, their heirs and assigns forever.

[*See ante, No. 9, of this chapter.]

Boundary of the land sold to John Greig and Henry B. Gibson.

Reservation to the Senecas.

In testimony whereof, the parties to these presents have hereunto, and to three other instruments of the same tenor, and date, one to remain with the United States, one to remain with the state of Massachusetts, one to remain with the Seneca nation of Indians, and one to remain with the said John Greig and Henry B. Gibson, interchangeably set their hands and seals, the third day of September, in the year of our Lord one thousand eight hundred and twenty-three.

Saquiungarluchta, or Young King, his x mark,	l. s.
Karlundawana, or Pollard, his x mark,	l. s.
Sagouata, or Red Jacket, his x mark,	l. s.
Tishkaaga, or Little Billy, his x mark,	l. s.
Tywaneash, or Black Snake, his x mark,	l. s.

Kahalsta, or Strong, his x mark,	l. s.
Chequindulique, or Little Beard, his x mark,	l. s.
Tuyongo, or Seneka White, his x mark,	l. s.
Onondaki, or Destroy Town, his x mark,	l. s.
Lunuchshewa, or War Chief, his x mark,	l. s.
Genuchschada, or Stevenson, his x mark,	l. s.
Mary Jamieson, her x mark,	l. s.
Talwinaha, or Little Johnson, his x mark,	l. s.
Atachsagu, or John Big Tree, his x mark,	l. s.
Teskaiy, or John Pierce, his x mark,	l. s.
Teaslaegee, or Charles Cornplanter, his x mark,	l. s.
Teonucakaweh, or Bob Stevens, his x mark,	l. s.
Checanadughtwo, or Little Beard, his x mark,	l. s.
Canada, his x mark,	l. s.

Scaled and delivered in the presence of

Nat. W. Howell,
Ch. Carroll,
Jasper Parrish,
Horatio Jones.

Done at a treaty held with the sachems, chiefs, and warriors of the Seneka nation of Indians at Moscow, in the county of Livingston and state of New-York, on the third day of September, one thousand eight hundred and twenty-three, under the authority of the United States. In testimony whereof, I have hereunto set my hand and seal, the day and year aforesaid, by virtue of a commission issued under the seal of the commonwealth of Massachusetts, bearing date the 31st day of August, A. D. 1815, pursuant to a resolution of the legislature of the said commonwealth, passed the eleventh day of March, one thousand seven hundred and ninety-one.

N. GORHAM, *Superintendent.*

Signed and sealed in presence of

I have attended a treaty of the Seneka nation of Indians held at Moscow in the county of Livingston and state of New-York, on the third day of September, in the year of our Lord one thousand eight hundred and twenty-three, when the within instrument was duly executed in my presence, by the sachems, chiefs, and warriors of the said nation, being fairly and properly understood and transacted by all the parties of Indians concerned, and declared to be done to their full satisfaction. I do therefore certify and approve the same.

CH. CARROLL, *Commissioner.*

Subscribed in presence of

[*Note.* At a treaty held with the Oneidas, at their village, in the state of New-York, on the 1st of June, 1798, Joseph Hopkinson attending as commissioner of the United States, there was purchased from the Oneida nation, for the use of the people of New-York, a part of the lands reserved for the benefit of the said nation, for which there was paid \$500 in hand, and an annuity allowed of \$700. The treaty was ratified on the 21st of February, 1799.]

CHAPTER III.

*Treaties with different Indian tribes and nations of Indians.**

No. 1. Articles of a treaty concluded at fort McIntosh, the twenty-first day of January, one thousand seven hundred and eighty-five, between the commissioners plenipotentiary of the United States of America, of the one part, and the sachems and warriors of the Wyandot, Delaware, Chippewa, and Ottawa nations, of the other.

Treaty with the Wyandots, Delawares, Chippewas, and Ottawas, of 1785.

The commissioners plenipotentiary of the United States in Congress assembled, give peace to the Wyandot, Delaware, Chippewa, and Ottawa nations of Indians, on the following conditions:

The United States gives peace, &c.

Art. 1. Three chiefs, one from among the Wyandot, and two from among the Delaware nations, shall be delivered up to the commissioners of the United States, to be by them retained till all the prisoners, white and black, taken by the said nations, or any of them, shall be restored.

Three hostages for the restoration of prisoners.

Art. 2. The said Indian nations do acknowledge themselves and all their tribes to be under the protection of the United States, and of no other sovereign whatsoever.

The tribes under the protection of the United States.

Art. 3. The boundary line between the United States and the Wyandot and Delaware nations, shall begin at the mouth of the river Cayahoga, and run thence up the said river to the portage between that and the Tuscarawas branch of Muskingum; then down the said branch to the forks at the crossing place above fort Lawrence; then westerly to the portage of the Big Miami, which runs into the Ohio, at the mouth of which branch the fort stood which was taken by the French in one thousand seven hundred and fifty-two; then along the said portage to the Great Miami or Ome river, and down the southeast side of the same to its mouth; thence along the south shore of lake Erie, to the mouth of Cayahoga, where it began.

Boundary between the United States and the Wyandots and Delawares.

Art. 4. The United States allot all the lands contained within the said lines to the Wyandot and Delaware nations, to live and to hunt on, and to such of the Ottawa nation as now live thereon; saving and reserving for the establishment of trading posts, six miles square at the mouth of Miami or Ome river, and the same at the portage on that branch of the Big Miami which runs into the Ohio, and the same on the lake of Sandusky where the fort formerly stood, and also two miles square on each side of the lower rapids of Sandusky river, which posts and the lands annexed to them, shall be to the use and under the government of the United States.

Lands allotted to the Indians.

Reservations for trading posts, &c.

Art. 5. If any citizen of the United States, or other person, not being an Indian, shall attempt to settle on any of the lands

Citizens settling on Indian

* To all the treaties of this chapter, there are several tribes parties, some of whom are also, separately, parties to other treaties, for which see note at the end of this chapter.

lands, outlaw-
ed. allotted to the Wyandot and Delaware nations in this treaty, except on the lands reserved to the United States in the preceding article, such person shall forfeit the protection of the United States, and the Indians may punish him as they please.

Title of the
United States
to lands, &c.
acknowledg-
ed, &c. *Art. 6.* The Indians who sign this treaty, as well in behalf of all their tribes as of themselves, do acknowledge the lands east, south, and west, of the lines described in the third article, so far as the said Indians formerly claimed the same, to belong to the United States; and none of their tribes shall presume to settle upon the same, or any part of it.

Post of De-
troit, &c. re-
served. *Art. 7.* The post of Detroit, with a district beginning at the mouth of the river Rosine, on the west end of lake Erie, and running west six miles up the southern bank of the said river, thence northerly and always six miles west of the strait, till it strikes the lake St. Clair, shall be also reserved to the sole use of the United States.

Post at Mich-
ilimackinac,
&c. reserved. *Art. 8.* In the same manner, the post of Michilimackinac, with its dependencies, and twelve miles square about the same, shall be reserved to the use of the United States.

Indian rob-
bers and mur-
derers, to be
delivered up,
&c. *Art. 9.* If any Indian or Indians shall commit a robbery or murder on any citizen of the United States, the tribe to which such offenders may belong, shall be bound to deliver them up at the nearest post, to be punished according to the ordinances of the United States.

The United
States to dis-
tribute goods
among the
tribes. *Art. 10.* The commissioners of the United States, in pursuance of the humane and liberal views of Congress, upon this treaty's being signed, will direct goods to be distributed among the different tribes for their use and comfort.

SEPARATE ARTICLE.

Amnesty, for-
mer rank, &c.
for the three
Delaware
chiefs, Henry,
Big Cat, and
White Eyes. It is agreed that the Delaware chiefs, Kelelamand, or colonel Henry, Hengue Pushees, or the Big Cat, Wicocalind, or captain White Eyes, who took up the hatchet for the United States, and their families, shall be received into the Delaware nation, in the same situation and rank as before the war, and enjoy their due portions of the lands given to the Wyandot and Delaware nations in this treaty, as fully as if they had not taken part with America, or as any other person or persons in the said nations.

Go. Clark,	l. s.
Richard Butler,	l. s.
Arthur Lec,	l. s.
Daunghquat, his x mark,	l. s.
Abraham Kuhn, his x mark,	l. s.
Ottawereri, his x mark,	l. s.
Hobocan, his x mark,	l. s.
Walendightun, his x mark,	l. s.
Talapoxic, his x mark,	l. s.
Wingenun, his x mark,	l. s.
Packelant, his x mark,	l. s.
Gingewanno, his x mark,	l. s.

Waanoos, his x mark,	l. s.
Konalawassee, his x mark,	l. s.
Shawnaqum, his x mark,	l. s.
Quecookkia, his x mark,	l. s.

Witness:

Saml. J. Atlee,	} <i>P. commissioners;</i>
Fras. Johnston,	
Alex. Campbell,	
Jos. Harmar, <i>lieut. col. com't,</i>	
Alex. Lowrey,	
Joseph Nicholas, <i>interpreter,</i>	
I. Bradford,	
George Slaughter,	
Van Swearingen,	
John Boggs,	
G. Evans,	
D. Luckett.	

No. 2. Articles of a treaty made at fort Harmar, between Arthur St. Clair, governor of the territory of the United States northwest of the river Ohio, and commissioner plenipotentiary of the United States of America, for removing all causes of controversy, regulating trade, and settling boundaries, with the Indian nations in the northern department, of the one part; and the sachems and warriors of the Wyandot, Delaware, Ottawa, Chippewa, Pattawatima, and Sac nations, on the other part.

Treaty with the Wyandots, Delawares, Ottowas, Chippewas, Pattawatimas, and Sacs, of 1789.

Art. 1. Whereas the United States in Congress assembled, did, by their commissioners, George Rogers Clark, Richard Butler, and Arthur Lee, esquires, duly appointed for that purpose, at a treaty holden with the Wyandot, Delaware, Ottawa, and Chippewa nations, at fort M^cIntosh,* on the twenty-first day of January, in the year of our Lord one thousand seven hundred and eighty-five, conclude a peace with the Wyandots, Delawares, Ottawas, and Chippewas, and take them into their friendship and protection: And whereas, at the said treaty, it was stipulated that all prisoners that had been made by those nations, or either of them, should be delivered up to the United States. And whereas the said nations have now agreed to and with the aforesaid Arthur St. Clair, to renew and confirm all the engagements they had made with the United States of America, at the before mentioned treaty, except so far as are altered by these presents. And there are now in the possession of some individuals of these nations, certain prisoners, who have been taken by others not in peace with the said United States, or in violation of the treaties subsisting between the United States and them; the said nations agree to deliver up all the prisoners now in their hands (by what means soever they may have come into their possession) to the said governor St. Clair, at fort Harmar; or, in his absence, to the officer commanding there, as soon as conveniently may be; and for the true performance of this agreement, they do now agree to deliver into his hands, two persons of the Wyandot nation, to be retained in the hands of the

Reference to the treaty of fort M^cIntosh.

[*See preceding treaty, No. 1, of this chapter.]

Renewal of engagements.

The nations to deliver up prisoners.

Two hostages for delivery of prisoners.

United States as hostages, until the said prisoners are restored; after which they shall be sent back to their nation.

Art. 2. And whereas, at the before mentioned treaty, it was agreed between the United States and said nations, that a boundary line should be fixed between the lands of those nations and the territory of the United States,* which boundary is as follows, viz: beginning at the mouth of Cayahoga river, and running thence up the said river to the portage between that and the Tuscarawa branch of Muskingum, then down the said branch to the forks at the crossing place above fort Lawrence, thence westerly to the portage on that branch of the Big Miami river which runs into the Ohio, at the mouth of which branch the fort stood which was taken by the French in the year of our Lord one thousand seven hundred and fifty-two, then along the said portage to the Great Miami or Omie river, and down the southeast side of the same to its mouth; thence along the southern shore of lake Erie to the mouth of Cayahoga, where it began. And the said Wyandot, Delaware, Ottawa, and Chippewa nations, for and in consideration of the peace then granted to them by the said United States, and the presents they then received, as well as of a quantity of goods to the value of six thousand dollars, now delivered to them by the said Arthur St. Clair, the receipt whereof they do hereby acknowledge, do, by these presents, renew and confirm the said boundary line; to the end that the same may remain as a division line between the lands of the United States of America and the lands of said nations, forever. And the undersigned Indians, do hereby, in their own names, and the names of their respective nations and tribes, their heirs and descendants, for the consideration above mentioned, release, quit claim, relinquish, and cede to the said United States, all the land east, south, and west, of the lines above described, so far as the said Indians formerly claimed the same; for them the said United States to have and to hold the same, in true and absolute propriety, forever.

The boundary established by the treaty of fort McIntosh;

for peace granted, presents received, and \$6,000 worth of goods now delivered;

renewed and confirmed, &c.

The nations cede all the land, east, south, and west, of the lines described.

Lands for the Indians to live and hunt on; but not to sell, except to the United States.

Individuals of the nations may hunt on the lands ceded.

Art. 3. The United States of America do, by these presents, relinquish and quit claim to the said nations respectively, all the lands lying between the limits above described, for them, the said Indians, to live and hunt upon, and otherwise to occupy as they shall see fit: but the said nations, or either of them, shall not be at liberty to sell or dispose of the same, or any part thereof, to any sovereign power, except the United States; nor to the subjects or citizens of any other sovereign power, nor to the subjects or citizens of the United States.

Art. 4. It is agreed between the said United States and the said nations, that the individuals of said nations shall be at liberty to hunt within the territory ceded to the United States, without hindrance or molestation, so long as they demean them-

* See ante, No. 1, of this chapter, article 3.

selves peaceably, and offer no injury or annoyance to any of the subjects or citizens of the said United States.

Art. 5. It is agreed, that if any Indian or Indians, of the nations before mentioned, shall commit a murder or robbery on any of the citizens of the United States, the nation or tribe to which the offender belongs, on complaint being made, shall deliver up the person or persons complained of, at the nearest post of the United States; to the end that he or they may be tried, and, if found guilty, punished according to the laws established in the territory of the United States northwest of the river Ohio, for the punishment of such offences, if the same shall have been committed within the said territory; or according to the laws of the state where the offence may have been committed, if the same has happened in any of the United States. In like manner, if any subject or citizen of the United States shall commit murder or robbery, on any Indian or Indians of the said nations, upon complaint being made thereof, he or they shall be arrested, tried, and punished agreeable to the laws of the state, or of the territory wherein the offence was committed; that nothing may interrupt the peace and harmony now established between the United States and said nations.

Indian murderers and robbers to be given up for punishment.

Citizens murdering or robbing Indians of the nations, to be punished.

Art. 6. And whereas the practice of stealing horses has prevailed very much, to the great disquiet of the citizens of the United States, and if persisted in, cannot fail to involve both the United States of America and the Indians in endless animosity, it is agreed that it shall be put an entire stop to on both sides; nevertheless, should some individuals, in defiance of this agreement, and of the laws provided against such offences, continue to make depredations of that nature, the person convicted thereof shall be punished with the utmost severity the laws of the respective states, or territory of the United States northwest of the Ohio, where the offence may have been committed, will admit of: and all horses so stolen, either by the Indians from the citizens or subjects of the United States, or by the citizens or subjects of the United States from any of the Indian nations, may be reclaimed, into whose possession soever they may have passed, and, upon due proof, shall be restored; any sales in market ouvert, notwithstanding. And the civil magistrates in the United States respectively, and in the territory of the United States northwest of the Ohio, shall give all necessary aid and protection to Indians claiming such stolen horses.

Stealing of horses restrained.

Horse thieves to be severely punished.

Stolen horses may be reclaimed, &c.

Civil magistrates to aid recovery of stolen horses.

Art. 7. Trade shall be opened with the said nations, and they do hereby respectively engage to afford protection to the persons and property of such as may be duly licensed to reside among them for the purposes of trade, and to their agents, factors, and servants; but no person shall be permitted to reside at their towns, or at their hunting camps, as a trader, who is not furnished with a license for that purpose, under the hand and

Trade with the nations,

Licences ne-

cessary for
traders.

Persons in-
truding with-
out license, to
be appre-
hended, &c.

Names of
traders to be
reported.

The Indians
to give notice
of hostile de-
signs, &c.

Indians to pre-
vent the pas-
sage of hostile
nations, &c.

The United
States to noti-
fy the Indians
of harm in-
tended, &c.

Citizens set-
tling on Indi-
an lands, out-
lawed.

Renewal of
reservations
for trading
posts.

seal of the governor of the territory of the United States north-west of the Ohio, for the time being, or under the hand and seal of one of his deputies for the management of Indian affairs; to the end that they may not be imposed upon in their traffic. And if any person or persons shall intrude themselves without such license, they promise to apprehend him or them, and to bring them to the said governor, or one of his deputies, for the purpose before mentioned, to be dealt with according to law: and that they may be defended against persons who might attempt to forge such licenses, they further engage to give information to the said governor, or one of his deputies, of the names of all traders residing among them, from time to time, and at least once in every year.

Art. 8. Should any nation of Indians meditate a war against the United States, or either of them, and the same shall come to the knowledge of the before mentioned nations, or either of them, they do hereby engage to give immediate notice thereof to the governor, or, in his absence, to the officer commanding the troops of the United States at the nearest post. And should any nation, with hostile intentions against the United States, or either of them, attempt to pass through their country, they will endeavor to prevent the same, and in like manner give information of such attempt to the said governor or commanding officer, as soon as possible, that all causes of mistrust and suspicion may be avoided between them and the United States: in like manner, the United States shall give notice to the said Indian nations, of any harm that may be meditated against them, or either of them, that shall come to their knowledge; and do all in their power to hinder and prevent the same, that the friendship between them may be uninterrupted.

Art. 9. If any person or persons, citizens or subjects of the United States, or any other person not being an Indian, shall presume to settle upon the lands confirmed to the said nations, he and they shall be out of the protection of the United States; and the said nations may punish him or them in such manner as they see fit.

Art. 10. The United States renew the reservations heretofore made* in the before mentioned treaty at fort M'Intosh, for the establishment of trading posts, in manner and form following; that is to say: six miles square at the mouth of the Miami or Omie rivers; six miles square at the portage upon that branch of the Miami which runs into the Ohio; six miles square upon the lake Sandusky, where the fort formerly stood; and two miles square upon each side the lower rapids, on Sandusky river: which posts, and the lands annexed to them, shall be for the use and under the government of the United States.

* See ante, No. 1, art. 4, of this chapter.

Art. 11. The post at Detroit, with a district of land beginning at the mouth of the river Rosine, at the west end of lake Erie, and running up the southern bank of said river six miles; thence northerly, and always six miles west of the strait, until it strikes the lake St. Clair, shall be reserved for the use of the United States.

The post at Detroit, &c. reserved.

Art. 12. In like manner, the post at Michilimackinac, with its dependencies, and twelve miles square about the same, shall be reserved to the sole use of the United States.

The post at Michilimackinac, &c. reserved.

Art. 13. The United States of America do hereby renew and confirm the peace and friendship entered into with the said nations, at the treaty before mentioned, held at fort M^oIntosh; and the said nations again acknowledge themselves, and all their tribes, to be under the protection of the said United States, and no other power whatever.

Peace and friendship renewed and confirmed, &c.

Art. 14. The United States of America do also receive into their friendship and protection, the nations of the Pattawatimas and Sacs; and do hereby establish a league of peace and amity between them respectively; and all the articles of this treaty, so far as they apply to these nations, are to be considered as made and concluded in all, and every part, expressly with them and each of them.

The United States receive into friendship and protection the Pattawatimas and Sacs, &c.

Art. 15. And whereas, in describing the boundary before mentioned, the words, if strictly constructed, would carry it from the portage on that branch of the Miami which runs into the Ohio, over to the river Auglaize; which was neither the intention of the Indians, nor of the commissioners; it is hereby declared, that the line shall run from the said portage directly to the first fork of the Miami river, which is to the southward and eastward of the Miami village, thence down the main branch of the Miami river to the said village, and thence down that river to lake Erie, and along the margin of the lake to the place of beginning.

Correction of the boundary line; for which see 2d article of this treaty.

Done at fort Harmar, on the Muskingum, this ninth day of January, in the year of our Lord one thousand seven hundred and eighty-nine.

In witness whereof, the parties have hercunto interchangeably set their hands and seals.

Ar. St. Clair,	l. s.
Peoutewatamie, his x mark,	l. s.
Konatikina, his x mark,	l. s.

SACS.

Tepakee, his x mark,	l. s.
Kesheyiva, his x mark,	l. s.

CHIPPEWAS.

Mesass, his x mark,	l. s.
Paushquash, his x mark,	l. s.
Pawasicko, his x mark,	l. s.

OTTAWAS.

Wewiskia, his x mark,	l. s.
Neagey, his x mark,	l. s.

PATAWATIMAS.

Windigo, his x mark,	l. s.
Wapaskea, his x mark,	l. s.
Nequea, his x mark,	l. s.

DELAWARES.

Captain Pipe, his x mark,	l. s.
Wingenond, his x mark,	l. s.
Pekelan, his x mark,	l. s.
Teataway, his x mark,	l. s.

CHIPPEWAS.

Nanamakeak, his x mark,	l. s.
Wetenasa, his x mark,	l. s.
Soskene, his x mark,	l. s.
Pewanakum, his x mark,	l. s.

WYANDOTS.

Teyandatontec, his x mark,	l. s.
Cheyawe, his x mark,	l. s.
Doueyenteat, his x mark,	l. s.
Tarhe, his x mark,	l. s.
Terhataw, his x mark,	l. s.
Datasay, his x mark,	l. s.
Maudoronk, his x mark,	l. s.
Skahomat, his x mark,	l. s.

In presence of

Jos. Harmar, *lt. col. comd. 1st U. S. regt. and brig. genl. by brevet.*
 Richard Butler,
 Jno. Gibson,
 Will. M'Curdey, *capt.*
 F. Denny, *ens. 1st. U. S. regt.*
 A. Hartshorn, *ensn.*
 Robt. Thompson, *ensn. 1st. U. S. regt.*
 Frans. Muse, *ensn.*
 J. Williams, *jun.*
 Wm. Wilson,
 Joseph Nicholas,
 James Rinkin.

Wyandot
claim to
Shawanece
lands.

'Threat of dis-
possessing the
Shawanees.

Further claim
of the Wyandots.

Be it remembered, that the Wyandots have laid claim to the lands that were granted to the Shawanees at the treaty held at the Miami;* and have declared, that as the Shawanees have been so restless, and caused so much trouble, both to them and to the United States, if they will not now be at peace, they will dispossess them, and take the country into their own hands; for that the country is theirs of right, and the Shawanees are only living upon it by their permission. They further lay claim to all the country west of the Miami boundary, from the village to the lake Erie, and declare that it is now under their management and direction.

* See post. chapter 7, No. 1.

SEPARATE ARTICLE.

Whereas the Wyandots have represented, that within the reservation from the river Rosine, along the strait, they have two villages from which they cannot, with any convenience, remove; it is agreed, that they shall remain in possession of the same, and shall not be in any manner disturbed therein.

Two Wyandot villages, within the reservation mentioned, not to be disturbed. Ante, art. 11 of the foregoing treaty.

No. 3. A treaty of peace between the United States of America, and the tribes of Indians called the Wyandots, Delawares, Shawanees, Ottawas, Chippewas, Pattawatimas, Miamis, Eel Rivers, Weas, Kickapoos, Piankeshaws, and Kaskaskias.

Treaty with the Wyandots, Delawares, Shawanees, Ottawas, Chippewas, Pattawatimas, Miamis, Eel Rivers, Weas, Kickapoos, Piankeshaws, and Kaskaskias.

To put an end to a destructive war, to settle all controversies, and to restore harmony and friendly intercourse between the said United States and Indian tribes, Anthony Wayne, major general, commanding the army of the United States, and sole commissioner for the good purposes abovementioned, and the said tribes of Indians, by their sachems, chiefs, and warriors, met together at Greenville, the head quarters of the said army, have agreed on the following articles, which, when ratified by the president, with the advice and consent of the senate of the United States, shall be binding on them and the said Indian tribes.

Art. 1. Henceforth all hostilities shall cease; peace is hereby established, and shall be perpetual; and a friendly intercourse shall take place between the said United States and Indian tribes.

Peace established, &c.

Art. 2. All prisoners shall, on both sides, be restored. The Indians, prisoners to the United States, shall be immediately set at liberty. The people of the United States, still remaining prisoners among the Indians, shall be delivered up in ninety days from the date hereof, to the general or commanding officer at Greenville, fort Wayne, or fort Defiance; and ten chiefs of the said tribes shall remain at Greenville as hostages, until the delivery of the prisoners shall be effected.

Prisoners to be mutually restored.

Ten chiefs to remain as hostages.

Art. 3. The general boundary line between the lands of the United States and the lands of the said Indian tribes, shall begin at the mouth of Cayahoga river, and run thence up the same to the portage, between that and the Tuscarawas branch of the Muskingum, thence down that branch to the crossing place above fort Lawrence, thence westerly to a fork of that branch of the great Miami River, running into the Ohio, at or near which fork stood Loromie's store, and where commences the portage between the Miami of the Ohio, and St. Mary's river, which is a branch of the Miami which runs into lake Erie; thence a westerly course to fort Recovery, which stands on a branch of the Wabash; thence southwesterly in a direct line to the Ohio, so as to intersect that river opposite the mouth of Kentucke or Cuttawa river. And in consideration of the peace

Boundary line between the United States and the tribes.

In considera-

tion of the peace, and goods delivered, and to be delivered, the tribes cede forever all lands lying eastwardly and southwardly of the line described. See post. art. 4, of this treaty.

The tribes, for the considerations mentioned, cede sixteen pieces of land herein described.

now established; of the goods formerly received from the United States; of those now to be delivered; and of the yearly delivery of goods now stipulated to be made hereafter; and to indemnify the United States for the injuries and expenses they have sustained during the war, the said Indian tribes do hereby cede and relinquish forever, all their claims to the lands lying eastwardly and southwardly of the general boundary line now described: and these lands, or any part of them, shall never hereafter be made a cause or pretence, on the part of the said tribes, or any of them, of war or injury to the United States, or any of the people thereof.

And for the same considerations, and as an evidence of the returning friendship of the said Indian tribes, of their confidence in the United States, and desire to provide for their accommodation, and for that convenient intercourse which will be beneficial to both parties, the said Indian tribes do also cede to the United States the following pieces of land, to wit: 1. One piece of land six miles square, at or near Loromie's store, before mentioned. 2. One piece two miles square, at the head of the navigable water or landing, on the St. Mary's river, near Girty's town. 3. One piece six miles square, at the head of the navigable water of the Auglaize river. 4. One piece six miles square, at the confluence of the Auglaize and Miami rivers, where fort Defiance now stands. 5. One piece six miles square, at or near the confluence of the rivers St. Mary's and St. Joseph's, where fort Wayne now stands, or near it. 6. One piece two miles square, on the Wabash river, at the end of the portage from the Miami of the lake, and about eight miles westward from fort Wayne. 7. One piece six miles square, at the Ouatanon, or Old Wea towns, on the Wabash river. 8. One piece twelve miles square, at the British fort on the Miami of the lake, at the foot of the rapids. 9. One piece six miles square, at the mouth of the said river, where it empties into the lake. 10. One piece six miles square, upon Sandusky lake, where a fort formerly stood. 11. One piece two miles square, at the lower rapids of Sandusky river. 12. The post of Detroit, and all the land to the north, the west and the south of it, of which the Indian title has been extinguished by gifts or grants to the French or English governments: and so much more land to be annexed to the district of Detroit, as shall be comprehended between the river Rosine, on the South, lake St. Clair on the north, and a line, the general course whereof shall be six miles distant from the west end of lake Erie and Detroit river. 13. The post of Michilimackinac, and all the land on the Island on which that post stands, and the main land adjacent, of which the Indian title has been extinguished by gifts or grants to the French or English governments; and a piece of land on the main to the north of the island, to measure six miles, on lake Huron, or the

strait between lakes Huron and Michigan, and to extend three miles back from the water of the lake or strait; and also, the island De Bois Blanc, being an extra and voluntary gift of the Chippewa nation. 14. One piece of land six miles square, at the mouth of Chikago river, emptying into the southwest end of lake Michigan, where a fort formerly stood. 15. One piece twelve miles square, at or near the mouth of the Illinois river, emptying into the Mississippi. 16. One piece six miles square, at the old Piorias fort and village near the south end of the Illinois lake, on said Illinois river. And whenever the United States shall think proper to survey and mark the boundaries of the lands hereby ceded to them, they shall give timely notice thereof to the said tribes of Indians, that they may appoint some of their wise chiefs to attend and see that the lines are run according to the terms of this treaty.

The United States to notify the tribes when they intend to survey, &c.

And the said Indian tribes will allow to the people of the United States a free passage by land and by water, as one and the other shall be found convenient, through their country, along the chain of posts hereinbefore mentioned; that is to say: from the commencement of the portage aforesaid, at or near Loromie's store, thence along said portage to the St. Mary's, and down the same to fort Wayne, and then down the Miami to lake Erie; again, from the commencement of the portage at or near Loromie's store along the portage from thence to the river Auglaize, and down the same to its junction with the Miami at fort Defiance; again, from the commencement of the portage aforesaid, to Sandusky river, and down the same to Sandusky bay and lake Erie, and from Sandusky to the post which shall be taken at or near the foot of the Rapids of the Miami of the lake; and from thence to Detroit. Again, from the mouth of Chikago, to the commencement of the portage, between that river and the Illinois, and down the Illinois river to the Mississippi; also, from fort Wayne, along the portage aforesaid, which leads to the Wabash, and then down the Wabash to the Ohio. And the said Indian tribes will also allow to the people of the United States, the free use of the harbors and mouths of rivers along the lakes adjoining the Indian lands, for sheltering vessels and boats, and liberty to land their cargoes where necessary for their safety.

The tribes allow a free passage by land and water, through their country, along the chain of posts or pieces of land ceded by this article, &c. according to the route herein specified.

The tribes also allow the free use of harbors, &c.

Art. 4. In consideration of the peace now established, and of the cessions and relinquishments of lands made in the preceding article by the said tribes of Indians, and to manifest the liberality of the United States, as the great means of rendering this peace strong and perpetual, the United States relinquish their claims to all other Indian lands northward of the river Ohio, eastward of the Mississippi, and westward and southward of the Great Lakes and the waters uniting them, according to the boundary line agreed on by the United States and the king

The United States relinquish all claim to other lands, according to the boundary

line established by the definitive treaty of peace with Great Britain.

Reservation of four tracts out of the lands relinquished by the United States.

The United States deliver goods to the value of \$20,000

Annuity, in future, of \$9,500.

Apportionment of the annuity of \$9,500 among the several tribes, parties to this treaty.

Either of the tribes may commute a part of their portion for implements of husbandry, &c. on notice.

Explanation of the meaning of the relinquishment of lands by the United States, in the preceding article.

of Great Britain, in the treaty of peace made between them in the year 1783. But from this relinquishment by the United States, the following tracts of land are explicitly excepted.

1st. The tract of one hundred and fifty thousand acres near the rapids of the river Ohio, which has been assigned to general Clark, for the use of himself and his warriors. 2d. The post of St. Vincennes, on the river Wabash, and the lands adjacent, of which the Indian title has been extinguished. 3d. The lands at all other places in possession of the French people and other white settlers among them, of which the Indian title has been extinguished as mentioned in the 3d article; and 4th. The post of fort Massac towards the mouth of the Ohio. To which several parcels of land so excepted, the said tribes relinquish all the title and claim which they or any of them may have.

And for the same considerations and with the same views as above mentioned, the United States now deliver to the said Indian tribes a quantity of goods to the value of twenty thousand dollars, the receipt whereof they do hereby acknowledge; and henceforward, every year, forever, the United States will deliver, at some convenient place northward of the river Ohio, like useful goods, suited to the circumstances of the Indians, of the value of nine thousand five hundred dollars; reckoning that value at the first cost of the goods in the city or place in the United States where they shall be procured. The tribes to which those goods are to be annually delivered, and the proportions in which they are to be delivered, are the following:

1st. To the Wyandots, the amount of one thousand dollars. 2d. To the Delawares, the amount of one thousand dollars. 3d. To the Shawanees, the amount of one thousand dollars. 4th. To the Miamis, the amount of one thousand dollars. 5th. To the Ottawas, the amount of one thousand dollars. 6th. To the Chippewas, the amount of one thousand dollars. 7th. To the Pattawatimas, the amount of one thousand dollars. 8th. And to the Kickapoo, Wea, Eel River, Piankeshaw, and Kaskaskia tribes, the amount of five hundred dollars each.

Provided, that if either of the said tribes shall hereafter, at an annual delivery of their share of the goods aforesaid, desire that a part of their annuity should be furnished in domestic animals, implements of husbandry, and other utensils convenient for them, and in compensation to useful artificers who may reside with or near them, and be employed for their benefit, the same shall, at the subsequent annual deliveries, be furnished accordingly.

Art. 5. To prevent any misunderstanding about the Indian lands relinquished by the United States in the fourth article, it is now explicitly declared, that the meaning of that relinquishment is this: the Indian tribes who have a right to those lands, are quietly to enjoy them, hunting, planting, and dwelling thereon, so long as they please, without any molestation from the United

ed States; but when those tribes, or any of them, shall be disposed to sell their lands, or any part of them, they are to be sold only to the United States; and until such sale, the United States will protect all the said Indian tribes in the quiet enjoyment of their lands against all citizens of the United States, and against all other white persons who intrude upon the same. And the said Indian tribes again acknowledge themselves to be under the protection of the said United States, and no other power whatever.

The tribes to sell only to the United States, &c.

Art. 6. If any citizen of the United States, or any other white person or persons, shall presume to settle upon the lands now relinquished by the United States, such citizen or other person shall be out of the protection of the United States; and the Indian tribe, on whose land the settlement shall be made, may drive off the settler, or punish him in such manner as they shall think fit; and because such settlements, made without the consent of the United States, will be injurious to them as well as to the Indians, the United States shall be at liberty to break them up, and remove and punish the settlers as they shall think proper, and so effect that protection of the Indian lands herein before stipulated.

Citizens settling on the lands of the tribes, outlawed, &c.

Art. 7. The said tribes of Indians, parties to this treaty, shall be at liberty to hunt within the territory and lands which they have now ceded to the United States, without hindrance or molestation, so long as they demean themselves peaceably, and offer no injury to the people of the United States.

The tribes may hunt on the lands they have ceded, &c.

Art. 8. Trade shall be opened with the said Indian tribes; and they do hereby respectively engage to afford protection to such persons, with their property, as shall be duly licensed to reside among them for the purpose of trade; and to their agents and servants; but no person shall be permitted to reside at any of their towns or hunting camps, as a trader, who is not furnished with a license for that purpose, under the hand and seal of the superintendent of the department northwest of the Ohio, or such other person as the president of the United States shall authorize to grant such licenses; to the end, that the said Indians may not be imposed on in their trade.* And if any licensed trader shall abuse his privilege by unfair dealing, upon complaint and proof thereof, his license shall be taken from him, and he shall be further punished according to the laws of the United States. And if any person shall intrude himself as a trader, without such license, the said Indians shall take and bring him before the superintendent, or his deputy, to be dealt with according to law. And to prevent impositions by forged licenses, the said Indians shall, at least once a year, give information

Trade to be opened, &c.

No trader allowed at Indian towns or hunting camps, without a license.

Traders abusing privilege. to forfeit license, &c.

Unlicensed traders to be arrested, &c.

Names of

* See, in relation to this licensed trade, the "first explanatory article" of the treaty of amity, commerce, and navigation, between the United States and Great-Britain, of the 19th of November, 1794.

traders to be reported.

Revenge for private injuries prohibited, &c.

The tribes to give notice of hostile designs against the United States, and prevent the passage of other tribes who are inimical.

The United States to notify the tribes of intended harm, &c.

All other treaties, subsequent to the 3d of September, 1783, within the purview of this treaty, void.

to the superintendent, or his deputies, of the names of the traders residing among them.

Art. 9. Lest the firm peace and friendship now established, should be interrupted by the misconduct of individuals, the United States, and the said Indian tribes agree, that for injuries done by individuals on either side, no private revenge or retaliation shall take place; but instead thereof, complaint shall be made by the party injured, to the other: by the said Indian tribes, or any of them, to the president of the United States, or the superintendent by him appointed; and by the superintendent or other person appointed by the president, to the principal chiefs of the said Indian tribes, or of the tribe to which the offender belongs; and such prudent measures shall then be pursued as shall be necessary to preserve the said peace and friendship unbroken, until the legislature (or great council) of the United States, shall make other equitable provision in the case, to the satisfaction of both parties. Should any Indian tribes meditate a war against the United States, or either of them, and the same shall come to the knowledge of the before-mentioned tribes, or either of them, they do hereby engage to give immediate notice thereof to the general, or officer commanding the troops of the United States, at the nearest post. And should any tribe, with hostile intentions against the United States, or either of them, attempt to pass through their country, they will endeavor to prevent the same, and in like manner give information of such attempt, to the general, or officer commanding, as soon as possible, that all causes of mistrust and suspicion may be avoided between them and the United States. In like manner, the United States shall give notice to the said Indian tribes of any harm that may be meditated against them, or either of them, that shall come to their knowledge; and do all in their power to hinder and prevent the same, that the friendship between them may be uninterrupted.

Art. 10. All other treaties heretofore made between the United States and the said Indian tribes, or any of them, since the treaty of 1783, between the United States and Great-Britain, that come within the purview of this treaty, shall henceforth cease and become void.*

In testimony whereof, the said Anthony Wayne, and the sachems and war chiefs of the beforementioned nations and tribes of Indians, have hereunto set their hands and affixed their seals.

Done at Greenville, in the territory of the United States northwest of the river Ohio, on the third day of August, one thousand seven hundred and ninety-five.

Anthony Wayne,

L. S.

* See note at the end of this chapter.

WYANDOTS.

Tarhe, or Crane, his x mark,	l. s.
J. Williams, jun. his x mark,	l. s.
Teyyaghtaw, his x mark,	l. s.
Haroenyow, or half king's son, his x mark,	l. s.
Tehaawtoerus, his x mark,	l. s.
Awmeeyeray, his x mark,	l. s.
Stayetah, his x mark,	l. s.
Shateyyaronyah, or Leather Lips, his x mark,	l. s.
Daughshuttayah, his x mark,	l. s.
Shaawrunthe, his x mark,	l. s.

DELAWARES.

Tetabokshke, or Grand Glaize King, his x mark,	l. s.
Lemantanquis, or Black King, his x mark,	l. s.
Wabathhoc, his x mark,	l. s.
Maghpiway, or Red Feather, his x mark,	l. s.
Kikthawenund, or Anderson, his x mark,	l. s.
Bukongehelas, his x mark,	l. s.
Peekeelund, his x mark,	l. s.
Wellebawkeelund, his x mark,	l. s.
Peekeetelemund, or Thomas Adams, his x mark,	l. s.
Kishkopekund, or captain Buffalo, his x mark,	l. s.
Amenahahan, or captain Crow, his x mark,	l. s.
Queshawcksey, or George Washington, his x mark,	l. s.
Weywinquis, or Billy Siscomb, his x mark,	l. s.
Moses, his x mark,	

SHAWANEES.

Misquaconacaw, or Red Pole, his x mark,	l. s.
Cutthewekasaw, or Black Hoof, his x mark,	l. s.
Kaysewaesekah, his x mark,	l. s.
Weythapamattha, his x mark,	l. s.
Nianymseka, his x mark,	l. s.
Waytheah, or Long Shanks, his x mark,	l. s.
Weyaplersenwaw, or Blue Jacket, his x mark,	l. s.
Nequetaughaw, his x mark,	l. s.
Hahgooseekaw, or captain Reed, his x mark,	l. s.

OTTOWAS.

Augooshaway, his x mark,	l. s.
Keenoshameek, his x mark,	l. s.
La Malice, his x mark,	l. s.
Macliwetah, his x mark,	l. s.
Thowonawa, his x mark,	l. s.
Secaw, his x mark,	l. s.

CHIPPEWAS.

Mashipinashiwish, or Bad Bird, his x mark,	l. s.
Nahshogashe, (from lake Superior,) his x mark,	l. s.
Kathawasung, his x mark,	l. s.
Masass, his x mark,	l. s.
Nemekass, or Little Thunder, his x mark,	l. s.
Peshawkay, or Young Ox, his x mark,	l. s.
Nanguay, his x mark,	l. s.
Meenedohgeesogh, his x mark,	l. s.
Peewanshememogh, his x mark,	l. s.
Weymegwas, his x mark,	l. s.
Gobmaatick, his x mark,	l. s.

OTTAWA.

Chegonickaska, (an Ottawa from Sandusky,) his x mark,	l. s.
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PATAWATIMAS OF THE RIVER ST. JOSEPH.

Thupenebu, his x mark,	l. s.
Nawac, (for himself and brother Etsimethe,) his x mark,	l. s.
Nenanseka, his x mark,	l. s.
Keesass, or Sun, his x mark,	l. s.
Kabamasaw, (for himself and brother Chisaugan,) his x mark,	l. s.
Sugganunk, his x mark,	l. s.
Wapmeme, or White Pigeon, his x mark,	l. s.
Wacheness, (for himself and brother Pedagogoshok,) his x mark,	l. s.
Wabshicawnaw, his x mark,	l. s.
La Chasse, his x mark,	l. s.
Meshegethenogh, (for himself and brother Wawasek,) his x mark,	l. s.
Hingoswash, his x mark,	l. s.
Anewasaw, his x mark,	l. s.
Nawbudgh, his x mark,	l. s.
Missenogomaw, his x mark,	l. s.
Waweegshe, his x mark,	l. s.
Thawme, or Le Blanc, his x mark,	l. s.
Geeque, (for himself and brother Shewinse,) his x mark,	l. s.

PATAWATIMAS OF HURON.

Okia, his x mark,	l. s.
Chamung, his x mark,	l. s.
Segagewan, his x mark,	l. s.
Nanawme, (for himself and brother A. Gin,) his x mark,	l. s.
Marchand, his x mark,	l. s.
Wenameac, his x mark,	l. s.

MIAMIS.

Nagohquangogh, or Le Gris, his x mark,	l. s.
Meshekunnoghquoh, or Little Turtle, his x mark,	l. s.

MIAMIS AND EEL RIVERS.

Peejeewa, or Richard Ville, his x mark,	l. s.
Cochkepoghtogh, his x mark,	l. s.

EEL RIVER TRIBE.

Shamekunnesa, or Soldier, his x mark,	l. s.
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MIAMIS.

Wapamangwa, or the White Loon, his x mark,	l. s.
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WEAS, FOR THEMSELVES AND THE PIANKESHAWS.

Amacunsa, or Little Beaver, his x mark,	l. s.
Acoolatha, or Little Fox, his x mark,	l. s.
Francis, his x mark,	l. s.

KICKAPOOS AND KASKASKIAS.

Keeawhah, his x mark,	l. s.
Nemighka, or Josey Renard, his x mark,	l. s.
Paikeekanogh, his x mark,	l. s.

DELAWARES OF SANDUSKY.

Hawkinpumiska, his x mark,	l. s.
Peyamawksey, his x mark,	l. s.
Reyntueco, (of the Six Nations, living at Sandusky,) his x mark,	l. s.

In presence of, (the word "goods" in the 6th line of the 3d article; the word "before" in the 26th line of the 3d article; the words "five hundred" in the 10th line of the 4th article, and the word "Piankeshaw" in the 14th line of the 4th article, being first interlined,)

H. De Butts, first A. D. C. and sec'y to M. G. Wayne,
Wm. H. Harrison, aid de camp to M. G. Wayne,

T. Lewis, *aid de camp to M. G. Wayne*,
 James O'Hara, *quartermaster genl.*
 John Mills, *major of infantry, and adj. genl.*
 Caleb Swan, *P. M. T. U. S.*
 Geo. Demter, *lieut. artillery*,
 Vigo,
 P. Frs. La Fontaine,
 Ant. Lasselle,
 H. Lasselle,
 Jn. Beau Bien,
 David Jones, *chaplain U. S. S.*
 Lewis Beaufait,
 R. Lachambre,
 Jas. Pepen,
 Baties Coutien,
 P. Navarre.

Sworn interpreters.

Wm. Wells,
 Jacques Lasselle,
 M. Morins,
 Bt. Sans Crainte,
 Christopher Miller,
 Robert Wilson,
 Abraham Williams, *his x mark*,
 Isaac Zane, *his x mark*.

No. 4. Articles of a treaty made at fort Wayne, on the Miami of the Lake, between William Henry Harrison, governor of the Indiana territory, superintendent of Indian affairs, and commissioner plenipotentiary of the United States for concluding any treaty or treaties, which may be found necessary, with any of the Indian tribes northwest of the Ohio, of the one part, and the tribes of Indians called the Delawares, Shawanees, Pattawatimas, Miami, and Kickapoos, by their chiefs and head warriors, and those of the Eel Rivers, Weas, Piankeshaws, and Kaskaskias, by their agents and representatives, Tuthinipee, Winnemac, Richewille, and Little Turtle, (who are properly authorized by the said tribes,) of the other part.

Treaty with the Delawares, Shawanees, Pattawatimas, Miami, Kickapoos, Eel Rivers, Weas, Piankeshaws, and Kaskaskias.

Art. 1. Whereas it is declared by the fourth article of the treaty of Greenville,* that the United States reserve for their use the post of St. Vincennes, and all the lands adjacent, to which the Indian titles had been extinguished. And whereas it has been found difficult to determine the precise limits of the said tract as held by the French and British governments : it is hereby agreed, that the boundaries of the said tract shall be as follow : beginning at Point Coupee, on the Wabash, and running thence by a line north seventy-eight degrees, west twelve miles, thence by a line parallel to the general course of the Wabash, until it shall be intersected by a line at right angles to the same, passing through the mouth of White river, thence by the last mentioned line across the Wabash, and towards the Ohio, seventy-two miles, thence by a line north twelve degrees west, until it shall be intersected by a line at right angles to the same, passing through Point Coupee, and by the last mentioned line to the place of beginning.

[* Ante, No. 3, of this chapter.]

Boundaries of a tract reserved to the United States, by the 4th article of the treaty of Greenville, about the post of St. Vincennes, described.

The United States relinquish adjoining lands.

Art. 2. The United States hereby relinquish all claim which they may have had to any lands adjoining to, or in the neighborhood of, the tract above described.

Salt spring upon the Saline creek ceded to the United States, with a quantity of land surrounding it. United States engage to deliver, for the use of the Indians, a certain quantity of salt yearly, &c.

Art. 3. As a mark of their regard and attachment to the United States, whom they acknowledge for their only friends and protectors, and for the consideration hereinafter mentioned, the said tribes do hereby relinquish and cede to the United States, the great salt spring upon the Saline creek, which falls into the Ohio below the mouth of the Wabash, with a quantity of land surrounding it, not exceeding four miles square, and which may be laid off in a square or oblong as the one or the other may be found most convenient to the United States: and the said United States being desirous that the Indian tribes should participate in the benefits to be derived from the said spring, hereby engage to deliver yearly, and every year, for the use of the said Indians, a quantity of salt, not exceeding one hundred and fifty bushels, and which shall be divided among the several tribes in such manner as the general council of the chiefs may determine.

As soon as the tribes mentioned herein consent, the United States to have the right to locate four tracts of land, for houses of entertainment, &c.

Art. 4. For the considerations before mentioned, and for the convenience which the said tribes will themselves derive from such establishments, it is hereby agreed, that as soon as the tribes called the Kickapoos, Del Rivers, Weas, Piankeshaws, and Kaskaskias, shall give their consent to the measure,† the United States shall have the right of locating three tracts of land (of such size as may be agreed upon with the last mentioned tribes) on the main road between Vincennes and Kaskaskias, and one other between Vincennes and Clarksville, for the purpose of erecting houses of entertainment, for the accommodation of travellers. But it is expressly understood, that if the said locations are made on any of the rivers which cross the said road, and ferries should be established on the same, that in times of high water any Indian or Indians, belonging to either of the tribes who are parties to the treaty, shall have the privilege of crossing such ferry toll free.

Indians to pass ferries toll free.

Boundary line to be so run as to include settlements, &c. by citizens, &c.

Art. 5. Whereas there is reason to believe, that if the boundary lines of the tract described in the first article should be run in the manner therein directed, that some of the settlements and locations of land, made by the citizens of the United States, will fall in the Indian country; it is hereby agreed, that such alterations shall be made in the direction of these lines, as will include them; and a quantity of land, equal in quantity to what may be thus taken, shall be given to the said tribes, either at the east or the west end of the tract.

In testimony whereof, the commissioner of the United States, and the chiefs and warriors of the Delawares, Shawanees,

† See the consent of these tribes given: No. 5, of this chapter; which immediately follows this treaty, except the Weas.

Pattawatimas, Miamis, and Kickapoos, and those of the Eel Rivers, Weas, Piankeshaws, and Kaskaskias, by their agents and representatives, Tuthinipee, Winnemac, Richewille, and the Little Turtle, who are properly authorized by the said tribes, have hereunto subscribed their names and affixed their seals, at fort Wayne, this seventh day of June, in the year of our Lord one thousand eight hundred and three, and of the independence of the United States the twenty-seventh.

William Henry Harrison, l. s.

MIAMIS.

Richewille, his x mark, l. s.

Meshekunnoghquoh, or Little Turtle, his x mark, l. s.

On behalf of themselves, Eel Rivers, Weas, Piankeshaws, and Kaskaskias, whom they represent.

KICKAPOOS.

Nehmehtohah, or Standing, his x mark, l. s.

Pashshewchah, or Cat, his x mark, l. s.

SHAWANEES.

Neahmemechieh, his x mark, l. s.

PATTAWATIMAS.

Tuthinipee, his x mark, l. s.

Winnemac, his x mark, l. s.

On behalf of the Pattawatimas, and Eel Rivers, Weas, Piankeshaws, and Kaskaskias, whom they represent.

Wannangsea, or Five Medals, his x mark, l. s.

Keesaas, or Sun, his x mark, l. s.

DELAWARES.

Teta Buxike, his x mark, l. s.

Bukongehelas, his x mark, l. s.

Hockingpomsken, his x mark, l. s.

Kechkawhanund, his x mark, l. s.

SHAWANEES.

Cuthewekasaw, or Black Hoof, his x mark, l. s.

Methawnasice, his x mark, l. s.

Signed, sealed, and delivered, in the presence of

John Rice Jones, *secretary to the commissioner,*

John Gibson, *secretary Indiana territory,*

Tho. Pasteur, *capt. first regt. infantry,*

William Wells, *interpreter,*

John Johnston, *United States' factor,*

Hendrick Aupaumut, *chief of Muhhecon,*

Thomas Freeman.

The proceedings at the within treaty were faithfully interpreted by us, John Gibson and William Wells; that is, for the Delawares, John Gibson, and for the rest of the tribes, William Wells.

JOHN GIBSON,
WILLIAM WELLS.

Treaty with
the Eel Ri-
vers, Wyandots,
Piankeshaws, Kas-
kaskias, and
Kickapoos.

No. 5. At a council holden at Vincennes, on the seventh day of August, one thousand eight hundred and three, under the direction of William Henry Harrison, governor of the Indiana territory, superintendent of Indian affairs, and commissioner plenipotentiary of the United States for concluding any treaty or treaties which may be found necessary, with any of the Indian nations northwest of the river Ohio, at which were present the chiefs and warriors of the Eel River, Wyandot, Piankeshaw and Kaskaskia nations, and also the tribe of the Kickapoos, by their representatives, the chiefs of the Eel River nation.

The 4th article
of the
treaty of fort
Wayne,
consented to.

The fourth article of the treaty holden and concluded at fort Wayne, on the seventh day of June, one thousand eight hundred and three, being considered, the chiefs and warriors of the said nations give their free and full consent to the same, and they do hereby relinquish and confirm to the United States the privilege and right of locating three several tracts of land of one mile square each, on the road leading from Vincennes to Kaskaskia, and also one other tract of land of one mile square on the road leading from Vincennes to Clarksville; which locations shall be made in such places on the aforesaid roads, as shall best comport with the convenience and interests of the United States in the establishment of houses of entertainment for the accommodation of travellers.

In witness whereof, the said William Henry Harrison, and the said chiefs and warriors of the before mentioned nations and tribe of Indians, have hereunto set their hands and affixed their seals, the day and year first above written.

William Henry Harrison,	l. s.
Ka Tunga, or Charly, his x mark,	l. s.
Akaketa, or Ploughman, his x mark,	l. s.
Gros Bled, or Big Corn, his x mark,	l. s.
Black Dog, his x mark,	l. s.
Puppequor, or Gun, his x mark,	l. s.
La Boussier, his x mark,	l. s.
Ducoigne, his x mark,	l. s.
Pedegogue, his x mark,	l. s.
Saconquanava, or Tired Legs, his x mark,	l. s.
Little Eyes, his x mark,	l. s.

Signed, sealed, and delivered, in the presence of us,

John Rice Jones,
B. Parke,
Joseph Barron, *interpreter.*

Treaty with
the Wyandots,
&c.

No. 6. A treaty between the United States of America, and the sachems, chiefs, and warriors, of the Wyandot, Ottawa, Chippewa, Munsee, and Delaware, Shawanee, and Pattawatima nations, holden at fort Industry, on the Miami of the lake, on the fourth day of July, Anno Domini, one thousand eight hundred and five.

The nations in
friendship
with and under
the protection of
the U. S.

Art. 1. The said Indian nations do again acknowledge themselves and all their tribes, to be in friendship with, and under the protection of, the United States.

Art. 2. The boundary line between the United States and the nations aforesaid, shall in future* be a meridian line drawn north and south, through a boundary to be erected on the south shore of lake Erie, one hundred and twenty miles due west of the west boundary line of the state of Pennsylvania, extending north until it intersects the boundary line of the United States, and extending south until it intersects a line heretofore established by the treaty of Greenville.†

Future boundary line between the United States and the tribes

Art. 3. The Indian nations aforesaid, for the consideration of friendship to the United States, and the sums of money hereinafter mentioned, to be paid annually to the Wyandot, Shawanec, Munsee, and Delaware nations, have ceded, and do hereby cede and relinquish to said United States forever, all the lands belonging to said United States, lying east of the aforesaid line, bounded southerly and easterly by the line established by said treaty of Greenville, and northerly by the northernmost part of the forty-first degree of north latitude.

Cession of lands lying east of the boundary line to the United States.

Art. 4. The United States, to preserve harmony, manifest their liberality, and in consideration of the cession made in the preceding article, will, every year forever hereafter, at Detroit, or some other convenient place, pay and deliver to the Wyandot, Munsee, and Delaware nations, and those of the Shawanec and Seneca nations who reside with the Wyandots, the sum of eight hundred and twenty-five dollars, current money of the United States, and the further sum of one hundred and seventy-five dollars, making in the whole an annuity of one thousand dollars; which last sum of one hundred and seventy-five dollars, has been secured to the president, in trust for said nations, by the Connecticut land company, and by the company incorporated by the name of "the proprietors of the half million acres of land lying south of lake Erie, called Sufferers' Land," payable annually as aforesaid, and to be divided between said nations, from time to time, in such proportions as said nations, with the approbation of the president, shall agree.

Annuity of \$1,000 to the Wyandots, Munsees, Delawares, Shawanees, &c.

\$175 of the annuity of \$1,000 by the Connecticut land company, and another company of land proprietors.

Art. 5. To prevent all misunderstanding hereafter, it is to be expressly remembered, that the Ottawa and Chippewa nations, and such of the Pattawatima nation as reside on the river Huron of lake Erie, and in the neighborhood thereof, have received from the Connecticut land company, and the company incorporated by the name of "the proprietors of the half million acres of land lying south of lake Erie, called Sufferer's Land," the sum of four thousand dollars, in hand, and have secured to the president of the United States, in trust for them, the further sum of twelve thousand dollars, payable in six annual instalments of two thousand dollars each; which

The Connecticut land company, and other land proprietors, have paid to the Ottawas, Chippewas, and Pattawatimas \$4,000, and have secured to be paid the fur-

* For the former boundary line, see ante, No. 3, art. 3, and No. 4, articles 1 and 5, of this chapter.

† See ante, No. 3, art. 3, of this chapter.

ther sum of
\$12,000, &c.

several sums is the full amount of their proportion of the purchases effected by this treaty, and also by a treaty with said companies, bearing even date herewith;* which proportions were agreed on and concluded by the whole of said nations in their general council; which several sums, together with two thousand nine hundred and sixteen dollars and sixty-seven cents, secured to the president, to raise said sum of one hundred and seventy-five dollars annuity as aforesaid, is the amount of the consideration paid by the agents of the Connecticut Reserve, for the cession of their lands.

The nations
at liberty to
fish and hunt
within the ter-
ritory ceded,
&c.

Art. 6. The said Indian nations, parties to this treaty, shall be at liberty to fish and hunt within the territory and lands which they have now ceded to the United States, so long as they shall demean themselves peaceably.

In witness whereof, Charles Jouett, esquire, a commissioner on the part of the United States, and the sachems, chiefs, and warriors, of the Indian nations aforesaid, have hereto set their hands and seals.

Charles Jouett,

l. s.

OTTAWA.

Nekeik, or Little Otter, his x mark,

l. s.

Kawachewan, or Eddy, his x mark,

l. s.

Mechimenduch, or Big Bowl, his x mark,

l. s.

Aubaway, his x mark,

l. s.

Ogonse, his x mark,

l. s.

Sawgamaw, his x mark,

l. s.

Tusquagan, or M'Carty, his x mark,

l. s.

Tondawganic, or the Dog, his x mark,

l. s.

Ashawet, his x mark,

l. s.

CHIPPEWA.

Macquettequet, or Little Bear, his x mark,

l. s.

Quitcheonequit, or Big Cloud, his x mark,

l. s.

Queoonequetwabaw, his x mark,

l. s.

Oscaguassanu, or Young Boy, his x mark,

l. s.

Moninack, or Cat Fish, his x mark,

l. s.

Tonquish, his x mark,

l. s.

PATAWATIMA.

Noname, his x mark,

l. s.

Mogawh, his x mark,

l. s.

WYANDOT.

Tarhee, or the Crane, his x mark,

l. s.

Miere, or Walk in Water, his x mark,

l. s.

Thateyyanayoh, or Leather Lips, his x mark,

l. s.

Harrowenyou, or Cherokee Boy, his x mark,

l. s.

Tschauendah, his x mark,

l. s.

Tahunchawettee, or Adam Brown, his x mark,

l. s.

Shawrunthie, his x mark,

l. s.

MUNSEE AND DELAWARE.

Puckconsittond, his x mark,

l. s.

Paahmelot, his x mark,

l. s.

* This treaty does not appear in any edition of the laws of the United States, nor is it to be found in the archives of the department of state.

Pamoxet, or Armstrong, his x mark,	l. s.
Pappellclond, or Beaver Hat, his x mark,	l. s.

SHAWANEE.

Weyapurseawaw, or Blue Jacket, his x mark,	l. s.
Cutheawecasaw, or Black Hoff, his x mark,	l. s.
Auon asechla, or Civil Man, his x mark,	l. s.
Isaac Peters, his x mark,	l. s.

In presence of

Wm. Dean, C. F. L. C.

J. B. Mower,

Jasper Parrish,

Whitmore Knaggs, } *interpreters.*

William Walker,

Israel Ruland,

E. Brush.

No. 7. Articles of a treaty made and entered into, at Grouseland, near Vincennes, in the Indiana territory, by and between William Henry Harrison, governor of said territory, superintendent of Indian affairs, and commissioner plenipotentiary of the United States for treating with the northwestern tribes of Indians, of the one part, and the tribes of Indians, called the Delawares, Pattawatimas, Miamis, Eel Rivers, and Weas, jointly and severally, by their chiefs and head men, of the other part.

Art. 1. Whereas, by the fourth article of a treaty made between the United States and the Delaware tribe, on the eighteenth day of August, eighteen hundred and four, the said United States engaged to consider the said Delawares as the proprietors of all that tract of country which is bounded by the White river on the north, the Ohio and Clark's grant on the south, the general boundary line running from the mouth of Kentucky river on the east, and the tract ceded by the treaty of fort Wayne and the road leading to Clark's grant on the west and southwest. And whereas the Miami tribe, from whom the Delawares derived their claim, contend that, in their cession of said tract to the Delawares, it was never their intention to convey to them the right of the soil, but to suffer them to occupy it as long as they thought proper, the said Delawares have, for the sake of peace and good neighborhood, determined to relinquish their claim to the said tract, and do, by these presents, release the United States from the guarantee made in the before-mentioned article of the treaty of August, eighteen hundred and four.

Treaty with the Delawares, Pattawatimas, &c.

Reference to the 4th article of the treaty with the Delawares, of 18th August, 1804. See ante, chap. 1, No. 2.

Interfering claims of Miamis and Delawares.

Delawares relinquish their claim, &c.

Art. 2. The said Miami, Eel River, and Wea tribes, cede and relinquish to the United States, forever, all that tract of country which lies to the south of a line to be drawn from the northeast corner of the tract ceded by the treaty of fort Wayne, so as to strike the general boundary line, running from a point opposite to the mouth of the Kentucky river to fort Recovery, at the distance of fifty miles from its commencement on the Ohio river.

Cession by the Miamis, Eel Rivers, and Weas.

Additional annuities to the Miamis, Eel Rivers, Weas, and to the Pattawatimas; and \$1,000 in hand, full compensation, &c.

Art. 3. In consideration of the cession made in the preceding article, the United States will give an additional permanent annuity to said Miamis, Eel River, and Wea tribes, in the following proportions, viz: to the Miamis, six hundred dollars; to the Eel River tribe, two hundred and fifty dollars; to the Weas, two hundred and fifty dollars; and also to the Pattawatimas, an additional annuity of five hundred dollars, for ten years, and no longer; which, together with the sum of four thousand dollars, which is now delivered, the receipt whereof they do hereby acknowledge, is to be considered as a full compensation for the land now ceded.

The United States consider the Miamis, Eel Rivers, and Weas, as joint owners of the lands herein described, &c.

Art. 4. As the tribes which are now called the Miamis, Eel Rivers, and Weas, were formerly, and still consider themselves as one nation, and as they have determined that neither of those tribes shall dispose of any part of the country which they hold in common; in order to quiet their minds on that head, the United States do hereby engage to consider them as joint owners of all the country on the Wabash and its waters, above the Vincennes tract, and which has not been ceded to the United States by this or any former treaty; and they do further engage, that they will not purchase any part of the said country, without the consent of each of the said tribes; provided always, that nothing in this section contained, shall in any manner weaken or destroy any claim which the Kickapoos, who are not represented at this treaty, may have to the country they now occupy on the Vermilion river.

Proviso: as to claim of the Kickapoos, &c.

The right of the Delawares to sell, &c. See ante, ch 1, No. 2, art.

Art. 5. The Pattawatimas, Miami, Eel River, and Wea tribes, explicitly acknowledge the right of the Delawares to sell the tract of land conveyed to the United States by the treaty of the eighteenth day of August, eighteen hundred and four, which tract was given by the Piankeshaws to the Delawares, about thirty-seven years ago.

Delivery of annuities as heretofore.

Art. 6. The annuities herein stipulated to be paid by the United States, shall be delivered in the same manner, and under the same conditions, as those which the said tribes have heretofore received.

This treaty obligatory as soon as ratified.

Art. 7. This treaty shall be in force and obligatory on the contracting parties, as soon as the same shall have been ratified by the president, by and with the advice and consent of the senate of the United States.

In testimony whereof, the said commissioner plenipotentiary of the United States, and the sachems, chiefs, and head men of the said tribes, have hereunto set their hands and affixed their seals.

Done at Grouseland, near Vincennes, on the twenty-first day of August, in the year eighteen hundred and five, and of the independence of the United States the thirtieth.

William Henry Harrison, l. s.

DELAWARES.

Hocking Pomskan, his x mark, l. s.
 Kecklawhenund, or William Anderson, his x mark, l. s.
 Allime, or White Eyes, his x mark, l. s.
 Tomague, or Beaver, his x mark, l. s.

PATTAWATIMAS.

Topanepee, his x mark, l. s.
 Lishahecon, his x mark, l. s.
 Wenamech, his x mark, l. s.

MIAMIS.

Kakonweconner, or Long Legs, his x mark, l. s.
 Missingguimeschan, or Owl, his x mark, l. s.
 Wabsier, or White Skin, his x mark, l. s.
 Mashekanochquah, or Little Turtle, his x mark, l. s.
 Richardville, his x mark, l. s.

EEL RIVERS.

Wanonecana, or Night Stander, his x mark, l. s.
 Metausauner, or Sam, his x mark, l. s.
 Archekatauh, or Earth, his x mark, l. s.

WEAS.

Assonnonquah, or Labossiere, his x mark, l. s.
 Misquaconaqua, or Painted Pole, his x mark, l. s.
 Ohequanah, or Little Eyes, his x mark, l. s.

DELAWARES.

Missenewand, or Captain Bullet, his x mark, l. s.

Done in the presence of

B. Parke, *secretary to the commissioner,*
 John Gibson, *secretary Indiana territory,*
 John Griffin, *a judge of the Indiana territory,*
 B. Chambers, *president of the council,*
 Jesse B. Thomas, *speaker of the House of Representatives,*
 John Rice Jones, }
 Saml. Gwathmey, } *members of the legislative council, Indiana territory,*
 Pierre Menard, }
 Davis Floyd, }
 Shadrach Bond, } *members of the House of Representatives, Indiana territory.*
 William Biggs, }
 John Johnson, }
 W. Wells, *agent of Indian affairs,*
 Vigo, *colonel of Knox county militia,*
 John Conner, } *sworn interpreters.*
 Joseph Barront, }

ADDITIONAL ARTICLE.

It is the intention of the contracting parties, that the boundary line herein directed to be run, from the northeast corner of the Vincennes tract to the boundary line running from the mouth of the Kentucky river, shall not cross the Embarrass or Driftwood fork of White river; but if it should strike the said fork, such an alteration in the direction of the said line is to be made, as will leave the whole of the said fork in the Indian territory.

Boundary line, (ante, art. 2, of this treaty,) not to cross the Driftwood fork of White river, &c.

Treaty with
the Ottawas,
Chippewas,
&c.

No. 8. Articles of a treaty made at Detroit, this seventeenth day of November, in the year of our Lord one thousand eight hundred and seven, by William Hull, governor of the territory of Michigan, and superintendent of Indian affairs, and sole commissioner of the United States, to conclude and sign a treaty or treaties, with the several nations of Indians northwest of the river Ohio, on the one part, and the sachems, chiefs, and warriors of the Ottawa, Chippewa, Wyandot, and Pattawatima nations of Indians, on the other part.

This treaty to
confirm and
perpetuate
friendship, &c.

To confirm and perpetuate the friendship, which happily subsists between the United States and the nations aforesaid, to manifest the sincerity of that friendship, and to settle arrangements mutually beneficial to the parties; after a full explanation and perfect understanding, the following articles are agreed to, which, when ratified by the president, by and with the advice and consent of the Senate of the United States, shall be binding on them, and the respective nations of Indians.

Treaty binding
when ratified.

The United
States to pay
money and
goods. See
below, art. 2.

Art. 1. The sachems, chiefs, and warriors, of the nations aforesaid, in consideration of money and goods, to be paid to the said nations, by the government of the United States, as hereafter stipulated; do hereby agree to cede, and forever quit claim, and do, in behalf of their nations, hereby cede, relinquish, and forever quit claim, unto the said United States, all right, title, and interest, which the said nations now have, or claim, or ever had, or claimed, in, or unto, the lands comprehended within the following described lines and boundaries: beginning at the mouth of the Miami river of the lakes, and running thence up the middle thereof, to the mouth of the great Auglaize river, thence running due north, until it intersects a parallel of latitude, to be drawn from the outlet of lake Huron, which forms the river Sinclair; thence running northeast, the course that may be found will lead in a direct line to White Rock, in lake Huron, thence due east, until it intersects the boundary line between the United States and Upper Canada,* in said lake, thence southwardly, following the said boundary line down said lake, through river Sinclair, lake Sinclair, and the river Detroit, into lake Erie, to a point due east of the aforesaid Miami river, thence west to the place of beginning.

The nations,
parties hereto,
cede lands,
&c.

Lines and
boundaries of
the lands ceded.

[* See the definitive treaty of peace, 1st vol. Laws U. S. art. 2, page 203.]

The United
States to pay
\$10,000 in
money, goods,
&c.

Art. 2. It is hereby stipulated and agreed on the part of the United States, as a consideration for the lands ceded by the nations aforesaid in the preceding article, that there shall be paid to the said nations, at Detroit, ten thousand dollars, in money, goods, implements of husbandry, or domestic animals, (at the option of the said nations, seasonably signified through the superintendent of Indian affairs residing with the said nations, to the department of war,) as soon as practicable, after the ratification of the treaty by the president, with the advice and consent of the senate of the United States; of this sum, three thousand three hundred and thirty-three dollars thirty-three cents and four mills shall be paid to the Ottawa nation; three thousand three hundred and thirty-three dollars thirty-

Amount to be
paid to each
nation, party
to this treaty.

three cents and four mills to the Chippewa nation ; one thousand six hundred sixty-six dollars sixty-six cents and six mills to the Wyandot nation ; one thousand six hundred sixty-six dollars sixty-six cents and six mills to the Pattawatima nation ; and likewise an annuity forever, of two thousand four hundred dollars, to be paid at Detroit, in manner as aforesaid : the first payment to be made on the first day of September next, and to be paid to the different nations in the following proportions : eight hundred dollars to the Ottawas, eight hundred dollars to the Chippewas, four hundred dollars to the Wyandots, and four hundred dollars to such of the Pattiwatimas as now reside on the river Huron of lake Erie, the river Raisin, and in the vicinity of the said rivers.

Annuity forever, of \$2,400, &c.
Proportion of annuity to each nation.

Art. 3. It is further stipulated and agreed, if at any time hereafter the said nations should be of the opinion that it would be more for their interest, that the annuity aforesaid should be paid by instalments, the United States will agree to a reasonable commutation for the annuity, and pay it accordingly.

Annuity may be paid by instalments, &c.

Art. 4. The United States, to manifest their liberality and disposition to encourage the said Indians in agriculture, further stipulate to furnish the said Indians with two blacksmiths, one to reside with the Chippewas, at Saguna, and the other to reside with the Ottawas, at the Miami, during the term of ten years ; said blacksmiths are to do such work for the said nations, as shall be most useful to them.

The United States to furnish two blacksmiths, for ten years, &c.

Art. 5. It is further agreed and stipulated, that the said Indian nations shall enjoy the privilege of hunting and fishing on the lands ceded as aforesaid, as long as they remain the property of the United States.

The Indians may hunt and fish on the lands ceded, whilst the property of the U. S.

Art. 6. It is distinctly to be understood, for the accommodation of the said Indians, that the following tracts of land within the cession aforesaid, shall be, and hereby are, reserved to the said Indian nations: one tract of land six miles square, on the Miami of lake Erie, above Roche de Boeuf, to include the village where Tondaganie (or the Dog) now lives. Also, three miles square on the said river, (above the twelve miles square ceded to the United States by the treaty of Greenville,*) including what is called Presque Isle ; also, four miles square on the Miami bay, including the villages where Meshkemau and Waugau now live ; also, three miles square on the river Raisin, at a place called Macon, and where the river Macon falls into the river Raisin, which place is about fourteen miles from the mouth of said river Raisin ; also, two sections of one mile square each, on the river Rouge, at Seginsavin's village ; also, two sections of one mile square each, at Tonquish's village, near the river Rouge ; also, three miles square on lake St. Clair, above the river Huron, to in-

Tracts reserved to the Indians.

(*Ante, No. 3, art 3, of this chapter.)

Reservations may be laid out in parallelograms, or other figures, &c.

Not to interfere with improvements of whites, &c.

The nations under protection of the United States, &c.

clude Machonee's village ; also, six sections, each section containing one mile square, within the cession aforesaid, in such situations as the said Indians shall elect, subject, however, to the approbation of the president of the United States, as to the places of location. It is further understood and agreed, that whenever the reservations cannot conveniently be laid out in squares, they shall be laid out in parallelograms, or other figures, as found most practicable and convenient, so as to contain the area specified in miles ; and in all cases they are to be located in such manner, and in such situations, as not to interfere with any improvements of the French or other white people, or any former cessions.

Art. 7. The said nations of Indians acknowledge themselves to be under the protection of the United States, and no other power, and will prove by their conduct that they are worthy of so great a blessing.

In testimony whereof, the said William Hull, and the sachems and war chiefs representing the said nations, have hereunto set their hands and seals.

Done at Detroit, in the territory of Michigan, the day and year first above written.

William Hull,

l. s.

CHIPPEWAS.

Peewanshemengh, his x mark,	l. s.
Mamaushegaut, or Bad Legs, his x mark,	l. s.
Fooquigaubowic, his x mark,	l. s.
Kiosk, his x mark,	l. s.
Poquaquet, or the Ball, his x mark,	l. s.
Segangewan, his x mark,	l. s.
Quitchonequit, or Big Cloud, his x mark,	l. s.
Quiconquish, his x mark,	l. s.
Pucknese, or the Spark of Fire, his x mark,	l. s.
Negig, or the Otter, his x mark,	l. s.
Measita, his x mark,	l. s.
Macquettequet, or Little Bear, his x mark,	l. s.
Nemekas, or Little Thunder, his x mark,	l. s.
Sawanabenase, or Pechegabua, or Grand Blanc, his x mark,	l. s.
Tonquish, his x mark,	l. s.
Miott, his mark,	l. s.
Meuetugesheck, or the Little Cedar, his x mark,	l. s.

OTTOWAS.

Aubauway, his x mark,	l. s.
Kawachewan, his x mark,	l. s.
Sawgamaw, his x mark,	l. s.
Ogouse, his x mark,	l. s.
Wasagashick, his x mark,	l. s.

PATAWATIMAS.

Toquish, his x mark,	l. s.
Noname, his x mark,	l. s.
Nawme, his x mark,	l. s.
Ninnewa, his x mark,	l. s.
Skush, his x mark,	l. s.

WYANDOTS.

Skahomet, his x mark,
 Miere, or Walk in the Water, his x mark,
 Iyonayotaha, his x mark,

l. s.
 l. s.
 l. s.

In presence of

George McDougall, *chief judge Ct. D. H. and D.*
 C. Rush, *attorney general,*
 Jacob Visger, *associate judge of the D. Court,*
 Jos. Watson, *secretary to the legislature of Michigan,*
 Abijah Hull, *surveyor for Michigan territory,*
 Harris H. Hickman, *counsellor at law,*
 Abraham Fuller Hull, *counsellor at law and secretary to the commission,*
 Whitmore Knaggs, } *sworn interpreters.*
 William Walker, }

No. 9. Articles of a treaty made and concluded at Brownstown, in the territory of Michigan, between William Hull, governor of the said territory, superintendent of Indian affairs, and commissioner plenipotentiary of the United States of America, for concluding any treaty or treaties, which may be found necessary, with any of the Indian tribes northwest of the river Ohio, of the one part, and the sachems, chiefs, and warriors of the Chippewa, Ottawa, Pattawatima, Wyandot, and Shawanee nations of Indians, of the other part.

Treaty with the Chippewas, Ottawas, &c.

Art. 1. Whereas, by a treaty concluded at Detroit, on the seventeenth day of November, in the year of our Lord one thousand eight hundred and seven, a tract of land lying to the west and north of the river Miami, of lake Erie, and principally within the territory of Michigan, was ceded by the Indian nations to the United States;* and whereas the lands lying on the southeastern side of the said river Miami, and between said river, and the boundary lines established by the treaties of Greenville and fort Industry, with the exception of a few small reservations to the United States, still belong to the Indian nations, so that the United States cannot, of right, open and maintain a convenient road from the settlements in the state of Ohio to the settlements in the territory of Michigan, nor extend those settlements so as to connect them; in order therefore to promote this object, so desirable and evidently beneficial to the Indian nations, as well as to the United States, the parties have agreed to the following articles, which, when ratified by the president of the United States, by and with the advice and consent of the senate thereof, shall be reciprocally binding.

Reference to the treaty of Detroit.

(*See ante, No. 8, art. 1, of this chapter.)

Difficulties in opening a road from Ohio to Michigan, &c.

Treaty, when ratified, to be binding.

Art. 2. The several nations of Indians aforesaid, in order to promote the object mentioned in the preceding article, and in consideration of the friendship they bear towards the United States, for the liberal and benevolent policy which has been practised towards them by the government thereof, do hereby give, grant, and cede, unto the said United States, a tract of land for a road, of one hundred and twenty feet in width, from

The Indian nations cede a tract of land for a road from the fort of the rapids of the Miami of lake Erie to

the western
line of the
Connecticut
Reserve, &c.

Another tract
for a road.

† Ante, No.
3, art. 3, of
this chapter.

The lines of
the lands ce-
ded, to be run
as the presi-
dent may
deem most
advisable.

The Indians
may hunt, &c.
on the ceded
lands, &c.

The nations
under the sole
protection of
the United
States.

the foot of the rapids of the river Miami of lake Erie to the western line of the Connecticut Reserve, and all the land within one mile of the said road, on each side thereof, for the purpose of establishing settlements along the same; also, a tract of land, for a road only, of one hundred and twenty feet in width, to run southwardly from what is called Lower Sandusky, to the boundary line established by the treaty of Greenville,* with the privilege of taking, at all times, such timber and other materials from the adjacent lands, as may be necessary for making and keeping in repair the said road, with the bridges that may be required along the same.

Art. 3. It is agreed, that the lines embracing the lands given and ceded by the preceding article, shall be run in such directions as may be thought most advisable by the president of the United States, for the purposes aforesaid.

Art. 4. It is agreed the said Indian nations shall retain the privilege of hunting and fishing on the lands given and ceded as above, so long as the same shall remain the property of the United States.

Art. 5. The several nations of Indians aforesaid, do again acknowledge themselves to be under the protection of the United States, and of no other sovereign; and the United States, on their part, do renew their covenant to extend protection to them according to the intent and meaning of stipulations in former treaties.*

Done at Brownstown, in the territory of Michigan, this 25th day of November, in the year of our Lord one thousand eight hundred and eight, and of the independence of the United States of America the thirty-third.

William Hull, *commissioner.*

l. s.

CHIPPEWAS.

Nemekas, or Little Thunder, his x mark,
Puckanese, or Spark of Fire, his x mark,
Macquettequet, or Little Bear, his x mark,
Shimnanaquette, his x mark,

l. s.
l. s.
l. s.
l. s.

OTTAWAS.

Kewachewan, his x mark,
Tondagane, his x mark,

l. s.
l. s.

PATTAWATIMAS.

Mogau, his x mark,
Wapmeme, or White Pigeon, his x mark,
Mache, his x mark,

l. s.
l. s.
l. s.

WYANDOTS.

Miere, or Walk in the Water, his x mark,
Iyonayotaha, or Joe, his x mark,
Skahomet, or Black Chief, his x mark,
Adam Brown,

l. s.
l. s.
l. s.
l. s.

* See the several treaties of this chapter. Ante.

SHAWANEES.

Makatewekasha, or Black Hoof, his x mark, l. s.
 Koitawaypie, or Col. Lewis, his x mark, l. s.

Executed, after having been fully explained and understood, in presence of

Reuben Attwater, *secretary of the territory Michigan,*

James Witherill, *a judge of Michigan territory,*

Jacob Visger, *judge of the district court,*

Jos. Watson, *secretary L. M. T.*

Wm. Brown,

B. Campau,

Lewis Bond, } *as to the Ottawa chiefs,*

A. Lyons,

Whitmore Knaggs, } *sworn interpreters.*

William Walker,

F. Duchonquet,

Samuel Saunders,

Attest,

HARRIS HAMPDEN HICKMAN,

Secretary to the commission.

No. 10. A treaty between the United States of America, and the tribes of Indians called the Delawares, Pattawatimas, Miamis, and Eel River Miamis.

Treaty with the Delawares, Pattawatimas, &c.

James Madison, president of the United States, by William Henry Harrison, governor and commander in chief of the Indiana territory, superintendent of Indian affairs, and commissioner plenipotentiary of the United States for treating with the said Indian tribes, and the sachems, head men, and warriors, of the Delaware, Pattawatima, Miami, and Eel River tribes of Indians, have agreed and concluded upon the following treaty; which, when ratified by the said president, with the advice and consent of the senate of the United States, shall be binding on said parties.

This treaty, when ratified, to be binding.

Art. 1. The Miami and Eel River tribes, and the Delawares and Pattawatimas, as their allies, agree to cede to the United States all that tract of country which shall be included between the boundary line established by the treaty of fort Wayne,* the Wabash, and a line to be drawn from the mouth of a creek called Racoon creek, emptying into the Wabash, on the southeast side, about twelve miles below the mouth of the Vermilion river, so as to strike the boundary line established by the treaty of Grouseland,† at such a distance from its commencement, at the northeast corner of the Vincennes tract, as will leave the tract now ceded thirty miles wide at the narrowest place. And also all that tract which shall be included between the following boundaries, viz: beginning at fort Recovery, thence southwardly along the general boundary line established by the treaty of Greenville,‡ to its intersection with the boundary line established by the treaty of Grouseland; thence along said line to a point, from which a line, drawn parallel to the first mentioned

The tribes cede a tract of country herein described.

(* See ante, No. 4, art. 1 and 5, of this chapter.)

(† Ante, No. 7, art. 2, of this chapter.)

(‡ Ante, No. 3, art. 3, of this chapter.)

line, will be twelve miles distant from the same, and along the said parallel line to its intersection with a line to be drawn from fort Recovery, parallel to the line established by the said treaty of Grouseland.

The Miamis acknowledge the equal right of the Delawares to the country watered by the White river, &c.

Annuities, as compensation for the cession made.

Stipulations of Greenville to apply.

(See ante, No. 3, art. 4 and 7, of this chapter.)

The consent of the Wea tribe necessary, &c. See post, chap. 13, No. 1.

Annuities and \$5,200 worth of goods full compensation.

Depredations upon cattle, horses, &c. to be put an end to, by deductions from annuities, &c.

The United States partial-

Art. 2. The Miamis explicitly acknowledge the equal right of the Delawares with themselves to the country watered by the White river. But it is also to be clearly understood, that neither party shall have the right of disposing of the same without the consent of the others; and any improvements which shall be made on the said land by the Delawares, or their friends the Mochicans, shall be theirs forever.

Art. 3. The compensation to be given for the cession made in the first article, shall be as follows, viz: to the Delawares, a permanent annuity of five hundred dollars; to the Miamis, a like annuity of five hundred dollars; to the Eel River tribe, a like annuity of two hundred and fifty dollars; and to the Patawatimas, a like annuity of five hundred dollars.

Art. 4. All the stipulations made in the treaty of Greenville, relatively to the manner of paying the annuities, and the right of the Indians to hunt upon the land, shall apply to the annuities granted, and the land ceded, by the present treaty. §

Art. 5. The consent of the Wea tribe shall be necessary to complete the title to the first tract of land here ceded; a separate convention shall be entered into between them and the United States, and a reasonable allowance of goods given them in hand, and a permanent annuity, which shall not be less than three hundred dollars, settled upon them.

Art. 6. The annuities promised by the third article, and the goods now delivered to the amount of five thousand two hundred dollars, shall be considered as a full compensation for the cession made in the first article.

Art. 7. The tribes who are parties to this treaty, being desirous of putting an end to the depredations which are committed by abandoned individuals of their own color, upon the cattle, horses, &c. of the more industrious and careful, agree to adopt the following regulations, viz: when any theft or other depredation shall be committed by any individual or individuals of one of the tribes abovementioned, upon the property of any individual or individuals of another tribe, the chiefs of the party injured shall make application to the agent of the United States, who is charged with the delivery of the annuities of the tribe to which the offending party belongs, whose duty it shall be to hear the proofs and allegations on either side, and determine between them: and the amount of his award shall be immediately deducted from the annuity of the tribe to which the offending party belongs, and given to the person injured, or to the chief of his village for his use.

Art. 8. The United States agree to relinquish their right to the reserve, at the old Ourectenon towns, made by the treaty of

Greenville,* so far, at least, as to make no further use of it than for the establishment of a military post. ly relinquish a reserve.

Art. 9. The tribes who are parties to this treaty, being desirous to show their attachment to their brothers the Kickapoos, agree to cede to the United States the lands on the northwest side of the Wabash, from the Vincennes tract to a northwardly extension of the line running from the mouth of the aforesaid Racoon creek, and fifteen miles in width from the Wabash, on condition that the United States shall allow them an annuity of four hundred dollars. But this article is to have no effect unless the Kickapoos will agree to it.†

Lands ceded to procure the Kickapoos an annuity of \$400, &c.

(† See post. chap. 14, No. 1.)

In testimony whereof, the said William Henry Harrison, and the sachems and war chiefs of the beforementioned tribes, have hereunto set their hands and affixed their seals, at fort Wayne, this thirtieth of September, eighteen hundred and nine.

William Henry Harrison, 1. s.

DELAWARES.

Anderson, for Hockingpomskon, who is absent, his x mark, 1. s.
Anderson, his x mark, 1. s.
Petchekekapon, his x mark, 1. s.
The Beaver, his x mark, 1. s.
Captain Killbuck, his x mark, 1. s.

PATTAWATIMAS.

Winemac, his x mark, 1. s.
Five Medals, by his son, his x mark, 1. s.
Mogawgo, his x mark, 1. s.
Shissahecon, for himself and his brother Tuthinipee, his x mark, 1. s.
Ossmeet, brother to Five Medals, his x mark, 1. s.
Nanousekah, Penamo's son, his x mark, 1. s.
Mossier, his x mark, 1. s.
Chequinimo, his x mark, 1. s.
Sackanackshut, his x mark, 1. s.
Conengee, his x mark, 1. s.

MIAMIS.

Pucan, his x mark, 1. s.
The Owl, his x mark, 1. s.
Meshekenoghqua, or the Little Turtle, his x mark, 1. s.
Wapemangua, or the Loon, his x mark, 1. s.
Silver Heels, his x mark, 1. s.
Shawapenomo, his x mark, 1. s.

EEL RIVERS.

Charley, his x mark, 1. s.
Sheshangomequal, or Swallow, his x mark, 1. s.
The young Wyandot, a Miami of Elk Hart, his x mark, 1. s.

In presence of

Peter Jones, *secretary to the commissioner,*

John Johnston, *Indian agent,*

A. Heald, *capt. the United States' army,*

A. Edwards, *surgeon's mate,*

* See ante, No. 3, art. 3, of this chapter.

Ph. Ostrander, *lieut. United States' army*,
 John Shaw,
 Stephen Johnston,
 J. Hamilton, *sheriff of Dearborn county*,
 Hendrick Aupaumut,
 William Wells, }
 John Conner, } *sworn interpreters.*
 Joseph Barron, }
 Abraham Ash, }

Treaty between the United States and the Miamis and Eel Rivers.

No. 11. A separate article entered into at fort Wayne, on the thirtieth day of September, in the year of our Lord one thousand eight hundred and nine, between William Henry Harrison, commissioner plenipotentiary of the United States for treating with the Indian tribes, and the sachems and chief warriors of the Miami and Eel River tribes of Indians, which is to be considered as forming part of the treaty this day concluded between the United States and the said tribes, and their allies the Delawares and Pattawatimas.

(*See the preceding treaty, No. 10, art. 1.)

(† Ante, No. 7, art. 4, of this chapter.)

Further compensation to the Miamis, in domestic animals, to the amount of \$1,500; armory, &c.

Further permanent annuity to the Miamis of \$200, if the Kickapoos confirm, &c. and \$100 to the Weas and Eel Rivers, each.

As the greater part of the lands ceded to the United States, by the treaty this day concluded,* was the exclusive property of the Miami nation, and guaranteed to them by the treaty of Grouseland,† it is considered by the said commissioner, just and reasonable that their request, to be allowed some further and additional compensation, should be complied with. It is, therefore, agreed, that the United States shall deliver for their use, in the course of the next spring, at fort Wayne, domestic animals to the amount of five hundred dollars, and the like number for the two following years, and that an armory shall be also maintained at fort Wayne, for the use of the Indians, as heretofore. It is also agreed, that if the Kickapoos confirm the ninth article of the treaty to which this is a supplement,‡ the United States will allow to the Miamis a further permanent annuity of two hundred dollars, and to the Wea and Eel River tribes a further annuity of one hundred dollars each.

In testimony whereof, the said William Henry Harrison, and the sachems and war chiefs of the said tribes, have hereunto set their hands and affixed their seals, the day and place abovementioned.

William Henry Harrison,	1. s.
Charley, an Eel River, his x mark,	1. s.
Pacan, his x mark,	1. s.
Sheshauquoquah, or Swallow, an Eel River, his x mark,	1. s.
The young Wyandot, a Miami or Elk Hart, his x mark,	1. s.
Shywahbeanomo, his x mark,	1. s.

MIAMIS.

The Owl, his x mark,	1. s.
Wafremanqua, or the Loon, his x mark,	1. s.
Mushekeuoghqua, or the Little Turtle, his x mark,	1. s.
Silver Heels, his x mark,	1. s.

‡ See the confirmation of the ninth article of the treaty of fort Wayne, by the Kickapoos, chap. 14, No. 1.

In presence of

Peter Jones, *secretary to the commissioner*,
 Joseph Barron,
 A. Edwards,
 William Wells,
 John Shaw.

No. 12. A treaty of peace and friendship between the United States of America, and the tribes of Indians, called the Wyandots, Delawares, Shawanees, Senecas, and Miamis. Treaty with the Wyandots, &c.

The said United States of America, by William Henry Harrison, late a major general in the army of the United States, and Lewis Cass, governor of the Michigan territory, duly authorized and appointed commissioners for the purpose, and the said tribes, by their head men, chiefs, and warriors, assembled at Greenville, in the state of Ohio, have agreed to the following articles; which, when ratified by the president of the United States, by and with the advice and consent of the senate thereof, shall be binding upon them and the said tribes: Treaty, when ratified, to be binding.

Art. 1. The United States and the Wyandots, Delawares, Shawanees, and Senecas, give peace to the Miami nation of Indians, formerly designated as the Miami, Eel River, and Wea tribes; they extend this indulgence also, to the bands of the Pattawatimas, which adhere to the grand sachem Tobinipee, and to the chief Onoxa; to the Ottawas of Blanchard's creek, who have attached themselves to the Shawanees tribe, and to such of the said tribe as adhere to the chief called the Wing, in the neighborhood of Detroit, and to the Kickapoos, under the direction of the chiefs who sign this treaty. Peace to the Miami nation, &c.

Art. 2. The tribes and bands abovementioned, engage to give their aid to the United States, in prosecuting the war against Great Britain and such of the Indian tribes as still continue hostile, and to make no peace with either, without the consent of the United States. The tribes to aid the United States against Great Britain, &c.

The assistance herein stipulated for, is to consist of such a number of their warriors, from each tribe, as the president of the United States, or any officer having his authority therefor, may require.

Art. 3. The Wyandot tribe, and the Senecas of Sandusky and Stoney creek, the Delaware and Shawanees tribes, who have preserved their fidelity to the United States throughout the war, again acknowledge themselves under the protection of the said states, and of no other power whatever, and agree to aid the United States in the manner stipulated for in the former article, and to make no peace but with the consent of the said states. The Wyandots, &c. under the protection of the United States, to aid, &c.

In case of fidelity, former boundary to be confirmed, &c.

Art. 4. In the event of a faithful performance of the conditions of this treaty, the United States will confirm and establish all the boundaries between their lands, and those of the Wyandots, Delawares, Shawanees, and Miamis, as they existed previously to the commencement of the war.*

In testimony whereof, the said commissioners, and the said head men, chiefs, and warriors, of the beforementioned tribes of Indians, have hereunto set their hands and affixed their seals.

Done at Greenville, in the state of Ohio, this twenty-second day of July, in the year of our Lord one thousand eight hundred and fourteen, and of the independence of the United States the thirty-ninth.

Willm. Henry Harrison,	l. s.
Lewis Cass,	l. s.

WYANDOTS.

Tarhe, or Crane, his x mark,	l. s.
Harroneyough, or Cherokee Boy, his x mark,	l. s.
Tearroneauou, or between the Legs, his x mark,	l. s.
Menoucou, his x mark,	l. s.
Rusharra, or Stookey, his mark,	l. s.
Senoshus, his x mark,	l. s.
Zashuona, or Big Arm, his x mark,	l. s.
Teanduttasoo, or Punch, his x mark,	l. s.
Tapuksough, or John Hicks, his x mark,	l. s.
Rouoinness, or Sky come down, his x mark,	l. s.
Teendoo, his x mark,	l. s.
Ronaiis, his x mark,	l. s.
Omaintsiarnah, or Bowyers, his x mark,	l. s.

DELAWARES.

Taiunshrah, or Charles, his x mark,	l. s.
Tiundraka, or John Bolesle, his x mark,	l. s.
Eroneniarah, or Shronesel, his x mark,*	l. s.
Kicktohenina, or captain Anderson, his x mark,	l. s.
Lemottenuckques, or James Nanticoke, his x mark,	l. s.
Laoponnichle, or Baube, his x mark,	l. s.
Joon Queake, or John Queake, his x mark,	l. s.
Kill Buck, his x mark,	l. s.
Neachcomingd, his x mark,	l. s.
Montgomery Montawe, his x mark,	l. s.
Capt. Buck, his x mark,	l. s.
Hooque, or Mole, his x mark,	l. s.
Captain White Eyes, his x mark,	l. s.
Captain Pipe, his x mark,	l. s.
McDaniel, his x mark,	l. s.
Captain Snap, his x mark,	l. s.

SHAWANEES.

Cutewecusa, or Black Hoof, his x mark,	l. s.
Tamenetha, or Butter, his x mark,	l. s.
Piaseka, or Wolf, his x mark,	l. s.
Pomtha, or Walker, his x mark,	l. s.
Shammonetho, or Snake, his x mark,	l. s.

[*Note. The three first names under the "Delawares," in these signatures, are "Wyandots." This error arose from a mistake in the copy, and was not detected in time for correction. The signatures of the "Delawares," begin at "Kicktohenina."]

* With Great Britain.

Pemthata, or Turkey flying by, his x mark,	l. s.
Wethawakasika, or Yellow Water, his x mark,	l. s.
Quetawah, Sinking, his x mark,	l. s.
Sokutchemah, or Frozen, his x mark,	l. s.
Wynepuechsika, or Corn Stalk, his x mark,	l. s.
Chiachska, or captain Tom, his x mark,	l. s.
Quitawepeh, or captain Lewis, his x mark,	l. s.
Teawaskoota, or Blue Jacket, his x mark,	l. s.
Tacomtequah, or Cross the water, his x mark,	l. s.

OTTAWAS.

Wataashnewa, or Bear's Legs, his x mark,	l. s.
Wapachek, or White Fisher, his x mark,	l. s.
'Tootagen, or Bell, his x mark,	l. s.
Aughquanahquose, or Stumptail Bear, his x mark,	l. s.
Mcokenuh, or Bear King, his x mark,	l. s.

SENEKAS.

Coontindnau, or Coffee Houn, his x mark,	l. s.
Togwon, his x mark,	l. s.
Endosquierunt, or John Harris, his x mark,	l. s.
Cantareteroo, his x mark,	l. s.
Cuntahtentuhwa, or Big Turtle, his x mark,	l. s.
Renonnesa, or Wiping Stick, his x mark,	l. s.
Corachcoonke, or Reflection, or Civil John, his x mark,	l. s.
Coonautanahtoo, his x mark,	l. s.
Seeistahe, Black, his x mark,	l. s.
Tooteecandee, Thomas Brand, his x mark,	l. s.
Haneusewa, his x mark,	l. s.
Uttawuntus, his x mark,	l. s.
Lutauqueson, his x mark,	l. s.

MIAMIS.

Pecon, his x mark,	l. s.
Lapassine, or Ashenonquah, his x mark,	l. s.
Osage, his x mark,	l. s.
Natoweesa, his x mark,	l. s.
Meshekeleata, or the Big man, his x mark,	l. s.
Sanamahbonga, or Stone Eater, his x mark,	l. s.
Neshepehtah, or Double Tooth, his x mark,	l. s.
Metooosania, or Indian, his x mark,	l. s.
Chequia, or Poor Racoon, his x mark,	l. s.
Wapepecheka, his x mark,	l. s.
Chingomega Eboo, or Owl, his x mark,	l. s.
Kewesckong, or Circular Travelling, his x mark,	l. s.
Wapasabanah, or White Racoon, his x mark,	l. s.
Chekemetine, or Turtle's Brother, his x mark,	l. s.
Pocondoqua, or Crooked, his x mark,	l. s.
Chequeah, or Poor Racoon, a Wea, or Little Eyes, his x mark,	l. s.
Showilingeshua, or Open Hand, his x mark,	l. s.
Okawea, or Porcupine, his x mark,	l. s.
Shawanoë, his x mark,	l. s.
Mawansa, or Young Wolf, his x mark,	l. s.
Meshwawa, or Wounded, his x mark,	l. s.
Sangwecomya, or Buffalo, his x mark,	l. s.
Pequia, or George, his x mark,	l. s.
Keelswa, or Sun, his x mark,	l. s.
Wabsea, or White Skin, his x mark,	l. s.
Wansepea, or Sunrise, his x mark,	l. s.
Angatoka, or Pile of Wood, his x mark,	l. s.

PATTAWATIMAS.

Toopinnepe, his x mark,	l. s.
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Onoxa, or Five Medals, his x mark,	l. s.
Metca, his x mark,	l. s.
Conge, or Bear's foot, his x mark,	l. s.
Nanownseca, his x mark,	l. s.
Chagobbe, or One who sees all over, his x mark,	l. s.
Meshon, his mark,	l. s.
Penosh, his x mark,	l. s.
Checanoe, his x mark,	l. s.
Neshcootawa, his x mark,	l. s.
Tonguish, his x mark,	l. s.
Nebaughkua, his x mark,	l. s.
Wesnanesa, his x mark,	l. s.
Chechock, or Crane, his x mark,	l. s.
Kepoota, his x mark,	l. s.
Mackoota, or Crow, his x mark,	l. s.
Papeketcha, or Flat Belly, his x mark,	l. s.

KICKAPOOS.

Ketoote, or Otter, his x mark,	l. s.
Makotanecote, or Black Tree, his x mark,	l. s.
Sheshepa, or Duck, his x mark,	l. s.
Wapekonnia, or White Blanket, his x mark,	l. s.
Acooche, or the Man Hung, his x mark,	l. s.
Chekaskagalon, his x mark,	l. s.

In presence of, the words "and the Wyandots, Delawares, Shawanees, and Senecas," interlined in the first article before signing,

James Dill, *secretary to the commissioners,*

Jno. Johnston, *Indian agent,*

B. F. Stickney, *Indian agent,*

James J. Nisbet, *associate judge of court of common pleas, Preble county,*

Thos. G. Gibson,

Antoine Boindi,

Wm. Walker,

William Conner,

J. Bis. Chandonnai,

Stephen Ruddeed,

James Pelteir,

Joseph Bertrand,

Thos. Ramsey, *capt. 1st. rifle regt.*

John Conner,

John Riddle, *col. 1st regt. Ohio militia.*

sworn interpreters.

Treaty with
the Wyandots,
Delawares,
&c.

No. 13. A treaty between the United States of America, and the Wyandot, Delaware, Seneca, Shawanoe, Miami, Chippewa, Ottawa, and Potawatimie tribes of Indians, residing within the limits of the state of Ohio, and the territories of Indiana and Michigan.

Chippewas,
Ottawas, &c.
have manifest-
ed a disposi-
tion to be re-
stored to rela-
tions of peace,
&c.

Whereas the Chippewa, Ottawa, and Potawatimie tribes of Indians, together with certain bands of the Wyandot, Delaware, Seneca, Shawanoe, and Miami tribes, were associated with Great-Britain in the late war between the United States and that power, and have manifested a disposition to be restored to the relations of peace and amity with the said states; and the president of the United States having appointed William Henry Harrison, late a major-general in the service of the United States, Duncan McArthur, late a brigadier in the service of the United States, and John Graham, esquire, as commissioners to treat with the

said tribes ; the said commissioners and the sachems, head men and warriors of said tribes having met in council at the Spring Wells, near the city of Detroit, have agreed to the following articles, which, when ratified by the president, by and with the advice and consent of the senate of the United States, shall be binding on them and the said tribes.

Art. 1. The United States give peace to the Chippewa, Ottawa and Potawatamie tribes. United States give peace.

Art. 2. They also agree to restore to the said Chippewa, Ottawa and Potawatamie tribes, all the possessions, rights and privileges which they enjoyed, or were entitled to in the year one thousand eight hundred and eleven, prior to the commencement of the late war with Great-Britain, and the said tribes upon their part, agree, again to place themselves under the protection of the United States, and of no other power whatsoever. Also restore the rights, &c. enjoyed before the late war with Great Britain.

Art. 3. In consideration of the fidelity to the United States which has been manifested by the Wyandot, Delaware, Seneca, and Shawanoe tribes, throughout the late war ; and of the repentance of the Miami tribe, as manifested by placing themselves under the protection of the United States, by the treaty of Greenville in eighteen hundred and fourteen, the said states agree to pardon such of the chiefs and warriors of said tribes, as may have continued hostilities against them until the close of the war with Great-Britain, and to permit the chiefs of their respective tribes, to restore them to the stations and property which they held previously to the war. United States pardon the chiefs and warriors who may have continued in hostility against them, &c.

Art. 4. The United States and the beforementioned tribes or nations of Indians, that is to say, the Wyandot, Delaware, Seneca, Shawanoe, Miami, Chippewa, Ottawa, and Potawatamies agree to renew and confirm the treaty of Greenville,* made in the year one thousand seven hundred and ninety-five, and all subsequent treaties to which they were, respectively, parties, and the same are hereby again ratified and confirmed in as full a manner as if they were inserted in this treaty. Treaty of Greenville and all subsequent treaties renewed and confirmed.

Done at Spring Wells, the eighth day of September, in the year of our Lord one thousand eight hundred and fifteen, and of the independence of the United States, the fortieth.

In testimony whereof, they, the said commissioners, and the sachems, head men and warriors of the different tribes, have hereunto set their hands, and affixed their seals.

William Henry Harrison,
Duncan M^rArthur,
John Graham.

WYANDOT CHIEFS.

Tarhee, or the crane, his x mark,
Harrouyeou, or Cherokee boy, his x mark,

* See ante, No. 3, of this chapter, and the numbers which follow, to all of which some one or more of the tribes parties to this treaty, are parties. See also chapter 1, No. 2.

Sanohskee, or long house, his x mark,
 Outoctutimoh, or cub, his x mark,
 Myecruh, or walk in the water, his x mark,
 Tyanumka, his x mark,
 Mymehamkee, or Barnett, his x mark,

SHAWANOE CHIEFS.

Cutaweskeshah, or black hoof, his x mark,
 Nutsheway, or wolf's brother, his x mark,
 Tamenatha, or butler, his x mark,
 Shemenetoo, or big snake, his x mark,
 Outhowaheshegath, or yellow plume, his x mark,
 Qautawwepay, or capt. Lewis, his x mark,
 Mishquathree, or capt. Reid, his x mark,
 Tecumtequah, his x mark.

OTTAWA CHIEFS.

Tontegenah, or the dog, his x mark,
 Tashcuygon, or M'Arthur, his x mark,
 Okemas, or little chief, his x mark,
 Nashkemah, his x mark,
 Watashnewah, his x mark,
 Onqunogesh, or ugly fellow, his x mark,
 Menitugawboway, or the devil standing, his x mark,
 Kelystum, or first actor, his x mark.

OTTAWAS FROM MACKINACK.

Kemenechagon, or the bastard, his x mark,
 Karbenequane, or the one who went in front, his x mark.

OTTAWA FROM GRAND RIVER.

Mechequez, his x mark.

A WINNEBAGO FROM MACKINACK.

Wassachum, or first to start the whites, his x mark.

CHIPPEWA CHIEFS.

Papnescha, or turn round about, his x mark,
 Nowgeschick, or twelve o'clock, his x mark,
 Shamanetoo, or God Almighty, his x mark,
 Wissensoh, his x mark,
 Cacheonquet, or big cloud, his x mark,
 Pasheskiskaquashcum,
 Menactome, or the little fly, his x mark,
 Enewame, or crow, his x mark,
 Nauaquaoto, his x mark,
 Paanassee, or the bird, his x mark.

DELAWARE CHIEFS.

Toctowayning, or Auderson, his x mark,
 Lamahtanoquez, his x mark,
 Matahoopan, his x mark,
 Aaheppan, or the buck, his x mark,
 Jim Killbuck, his x mark,
 Captain Beaver, his x mark,
 M'Donald, his x mark.

SENECA CHIEFS.

Tahummindoyeh, or between words, his x mark,
 Yonundankykueurent, or John Harris, his x mark,
 Masomea, or civil John, his x mark,
 Saccorawahtah, or wiping stick, his x mark,

POTAWATAMIE CHIEFS.

Topeeneebec, his x mark,
 Noungeesai, or five medals, his x mark,
 Naynauawsekaw, his x mark,
 Joceonce, his x mark,
 Cocneg, his x mark,
 Ohshawkeebee, his x mark,
 Waimeamaygoas, his x mark,
 Meeksawbay, his x mark,
 Mongaw, his x mark,
 Nawnammee, his x mark,
 Chay Chauk, or the crane, his x mark,
 Wanaunaiskee, his x mark,
 Pashapow, his x mark,
 Honkemani, or the chief, his x mark,
 Necessatimeneemay, his x mark,
 Ponggeasais, his x mark,
 Nounnawkeskawaw, his x mark,
 Chickawno, his x mark,
 Mitteey, his x mark,
 Messeccawee, his x mark,
 Neepoashe, his x mark,
 Kaitchaynee, his x mark,
 Waymeego, or W. H. Harrison, his x mark,
 Louison, his x mark,
 Osheouskeebee, his x mark.

MIAMI CHIEFS.

Pacan, his x mark,
 Singomesha, or the owl, his x mark,
 Totanag, or the butterfly, his x mark,
 Osage, or the neutral, his x mark,
 Wabsioung, or the white skin, his x mark,
 Wapaassabina, or white racoon, his x mark,
 Ottentaqua, or a blower of his breath, his x mark,
 Makatasabina, or black racoon, his x mark,
 Wapeshesa, or white appearance in the water, his x mark.
 Motosanca, or Indian, his x mark,
 Shacanbe, his x mark,
 Shequar, or the poor racoon, his x mark,
 Cartanquar, or the sky, his x mark,
 Okemabenaseh, or the king bird, his x mark,
 Wapenaseme, or the collector of birds, his x mark,
 Mecinnabec, or the setting stone, his x mark,
 Annawba, his x mark,
 Mashepeshewingqua, or Tiger's face, his x mark.

Signed in the presence of

A. L. Langhan, *secretary to the commission*,
 Lewis Cass,
 James Miller, *B. gen. U. S. army*,
 Willoughby Morgan, *maj. U. S. army*,
 A. B. Woodward,
 Hy. B. Brevoort, *late major 45th infantry*,
 John Bidder, *capt. U. S. corps artillery*,
 James May, *J. P.*
 Peter Audrain, *Reg. L. O. D.*
 Jm. K. Walker, *Wyandot interpreter*.
 Francis Jansen,
 James Riley, *interpreter*,
 William Kugg,

Francois Mouton,
 John Kenzie, *interpreter*,
 F. Duchouquet, *U. S. interpreter*, *W.*
 Louis Bufait, *Indian interpreter*,
 J. Bts. Chandonnai, *interpreter*,
 W. Knaggs,
 Antoine Bondi,
 Jean Bt. Massac, his x mark.

Treaty with
 the Weas and
 Kickapoos.

Weas and
 Kickapoos in
 peace with the
 U. S.

Acknowledge
 the treaty of
 Greenville.

Recognize and
 confirm the
 boundary line
 surveyed by
 the U. States,
 of the land on
 and White
 rivers, &c.

the Wabash—
 Kickapoos ac-
 knowledge
 they have ce-
 ded all the
 land between
 the aforesaid
 boundary line
 on the N.
 West of the
 Wabash, &c.

No. 14. Articles of a treaty made and entered into at fort Harrison, in the Indiana territory, between Benjamin Parke, specially authorized thereto by the president of the United States, of the one part, and the tribes of Indians called the Weas and Kickapoos, by their chiefs and head men, of the other part.

Art. The Weas and Kickapoos again acknowledge themselves in peace and friendship with the United States.

Art. 2. The said tribes acknowledge the validity of, and declare their determination to adhere to, the treaty of Greenville,* made in the year seventeen hundred and ninety-five, and all subsequent treaties which they have respectively made with the United States.

Art. 3. The boundary line, surveyed and marked by the United States, of the land on the Wabash and White rivers, ceded in the year eighteen hundred and nine, the said tribes do hereby explicitly recognize and confirm, as having been executed conformably to the several treaties they have made with the United States.

Art. 4. The chiefs and warriors of the said tribe of the Kickapoos acknowledge that they have ceded to the United States all that tract of country which lies between the aforesaid boundary line on the north west side of the Wabash—the Wabash, the Vermillion river, and a line to be drawn from the north west corner of the said boundary line, so as to strike the Vermillion river twenty miles in a direct line from its mouth, according to the terms and conditions of the treaty they made with the United States on the ninth day of December, in the year eighteen hundred and nine.†

In testimony whereof, the said Benjamin Parke, and the chiefs and head men of the said tribes, have hereunto set their hands and affixed their seals, at fort Harrison, in the Indiana territory, the fourth day of June, in the year of our Lord, one thousand eight hundred and sixteen.

B. Parke.

WEAS.

Mesauppeekaunga, or Gamlan, his x mark,

* See ante, No. 3, of this chapter, also No. 4, 5, and 7.—also chap. 13, No. 1, and chap. 14, No. 1 and 2.

† See post, chap. 14, No. f.

Jacco, his x mark,
 Kesanguckamya, or Buffalo, his x mark,
 Chequih, or Little Eyes, his x mark,
 Mahquakouonga, or Negro Legs, his x mark,
 Pequaih, or George, his x mark,
 Kenokosetah, or Long Body, his x mark,
 Owl, (a Miami) his x mark,
 Mahchekcleatah, or Big Man, (a Miami,) his x mark.

KICKAPOOS.

Sheshpah, or Little Duck, his x mark,
 Kaanelkaka, or Drunkard's Son, his x mark,
 Shekonah, or Stone, his x mark,
 Mahquah, or Bear, his x mark,
 Penashec, or Little Turkey, his x mark,
 Mehtahkokeah, or Big Tree, his x mark,
 Mauquasconiah, or Big Tree, his x mark,
 Keetahtey, or Little Otter, his x mark,
 Nepiseeah, or Blackberry, his x mark,
 Pehsqonatah, or Blackberry Flower, his x mark,
 Tecumthena, or Track in Prairie, his x mark.

Done in the presence of

John L. M'Cullough, *secretary to the commission,*
 John T. Chum, *major, commanding fort Harrison,*
 Gab. I. Floyd, *Lieutenant United States Army,*
 Th. M'Call, *of Vincennes,*
 Hen. Gilham, *of do.*
 N. B. Bailey, *of do.*
 Geo. C. Copp,
 Michael Brouillet, *interpreter, at fort Harrison.*
 Joseph Barron, *sworn interpreter.*

No. 15. A treaty of peace, friendship, and limits, made and concluded between Ninian Edwards, William Clark, and Auguste Chouteau, commissioners plenipotentiary of the United States of America, on the part and behalf of said states, of the one part, and the chiefs and warriors of the united tribes of Ottawas, Chippawas, and Potowatomies, residing on the Illinois and Melwakee rivers, and their waters, and on the southwestern parts of Lake Michigan, of the other part. Treaty with the Ottawas, Chippawas, &c.

Whereas a serious dispute has for some time past existed between the contracting parties relative to the right to a part of the lands ceded to the United States by the tribes of Sacs and Foxes, on the third day of November, one thousand eight hundred and four,* and both parties being desirous of preserving a harmonious and friendly intercourse, and of establishing permanent peace and friendship, have, for the purpose of removing all difficulties, agreed to the following terms:

Art. 1. The said chiefs and warriors, for themselves and the tribes they represent, agree to relinquish, and hereby do relinquish, to the United States, all their right, claim, and title, to all the land contained in the beforementioned cession of the Sacs and Foxes, which lies south of a due west line from the southern extremity of lake Michigan to the Mississippi river. And they moreover cede to the United States all the land con- Dispute has existed relative to the right to lands ceded by the Sacs and Foxes, and parties desirous of preserving friendly intercourse, &c.

* See post. chap. 11, No. 1.

make a further cession to the U. States.

Said tribes to hunt and fish within the limits of the land relinquished and ceded.

The U. States deliver merchandise, and to pay an annuity of \$1000 for 12 years.

The U. States also relinquish all the land in the aforesaid cession of the Sacs and Foxes, which lies north of a due west line, &c. with certain reservations, &c.

The reserved tracts together not to exceed five leagues square.

That peace may be preserved, justice towards each other is to be observed.

tained within the following bounds, to wit: beginning on the left bank of the Fox river of Illinois, ten miles above the mouth of said Fox river; thence running so as to cross Sandy creek, ten miles above its mouth; thence, in a direct line, to a point ten miles north of the west end of the Portage, between Chicago creek, which empties into lake Michigan, and the river Depleines, a fork of the Illinois; thence, in a direct line, to a point on lake Michigan, ten miles northward of the mouth of Chicago creek; thence, along the lake, to a point ten miles southward of the mouth of the said Chicago creek; thence, in a direct line, to a point on the Kankakee, ten miles above its mouth; thence, with the said Kankakee and the Illinois river, to the mouth of Fox river, and thence to the beginning: *Provided, nevertheless,* That the said tribes shall be permitted to hunt and to fish within the limits of the land hereby relinquished and ceded, so long as it may continue to be the property of the United States.

Art. 2. In consideration of the aforesaid relinquishment and cession, the United States have this day delivered to said tribes a considerable quantity of merchandise, and do agree to pay them, annually, for the term of twelve years, goods to the value of one thousand dollars, reckoning that value at the first cost of the goods in the city or place in which they shall be purchased, without any charge for transportation; which said goods shall be delivered to the said tribes at some place on the Illinois river, not lower down than Peoria. And the said United States do moreover agree to relinquish to the said tribes all the land contained in the aforesaid cession of the Sacs and Foxes, which lies north of a due west line, from the southern extremity of lake Michigan to the Mississippi river, except three leagues square at the mouth of the Ouisconsin river, including both banks, and such other tracts, on or near to the Ouisconsin and Mississippi rivers, as the president of the United States may think proper to reserve: *Provided,* That such other tracts shall not in the whole exceed the quantity that would be contained in five leagues square.

Art. 3. The contracting parties, that peace and friendship may be permanent, promise that in all things whatever, they will act with justice and correctness towards each other, and that they will, with perfect good faith, fulfil all the obligations imposed upon them by former treaties.

In witness whereof, the said Ninian Edwards, William Clark, and Auguste Chouteau, commissioners aforesaid, and the chiefs and warriors of the aforesaid tribes, have hereunto subscribed their names and affixed their seals, this twenty-fourth day of August, one thousand eight hundred and sixteen, and of the independence of the United States the forty-first.

Ninian Edwards,
 Wm. Clark,
 Auguste Chouteau,
 Mucketeypokee, or Black Patridge, his x mark,
 Sinnowchewone, by his brother Ignatius, his x mark
 Mucketepennese, or Black Bird, his x mark,
 Bendegakewa, his x mark,
 Pemasaw, or Walker, his x mark,
 Ontawa,
 Nangesay, alias Stout, his x mark,
 Chamblee, his x mark,
 Cacake, his x mark,
 Shawanoe, his x mark,
 Wapunsy, his x mark,
 Gunnepepy, his x mark,
 Wonesee, his x mark,
 Richeikcming, or Lake, his x mark,
 Cabenaw, his x mark,
 Opaho, his x mark,
 Cowwesaut, his x mark,
 Chekinaka, his x mark,
 Macheweskeaway, his x mark,
 Spanquisee, his x mark,
 Ignatius, his x mark,
 Takaonenee, his x mark,
 Ottawonce, his x mark,
 Tawwaning, or Trader, his x mark,
 Cashshakee, his x mark,
 Nigigwash, his x mark,
 Sheshebungge,
 Mowais, or Little Wolf, his x mark.

Done at St. Louis, in the presence of

R. Wash, *secretary to the commission,*
 R. Graham, *Indian agent for the territory of Illinois,*
 Thomas Forsyth, *Indian agent,*
 J. Maul, *lieutenant 8th regiment of infantry,*
 P. Provenchere, *interpreter of the commissioners,*
 Maurice Blondeaux, *Indian agent,*
 John Ruland.

No. 16. Articles of a treaty made and concluded, at the foot of the Rapids of Treaty with the Miami of lake Erie, between Lewis Cass and Duncan McArthur, com- the Wyandots, missioners of the United States, with full power and authority to hold con- Senekas, De- ferences, and conclude and sign a treaty or treaties with all or any of the lawares, Sha- tribes or nations of Indians within the boundaries of the state of Ohio, of and wanees, Patta- watomas, Ot- tawas, and Chippewas, Foot of the Rapids, &c. Sept. 29th, 1817.

Art. 1. The Wyandot tribe of Indians, in consideration of the stipulations herein made on the part of the United States, do hereby forever cede to the United States the lands comprehended within the following lines and boundaries: Cession of lands by the Wyandots. Beginning at a point on the southern shore of lake Erie, where the present Indian boundary line intersects the same, between

(* Ante, No. 3, of this chapter.)

(† Ante, No. 8, of this chapter.)

Cession of lands by the Pattawatimas, Ottawas, and Chippewas.

(‡ Ante, No. 8, of this chapter.)

Other tribes accede.

Annual payments to the Wyandots,

Senecas.

Shawanees.

Pattawatimas.

the mouth of Sandusky bay and the mouth of Portage river ; thence, running south with said line, to the line established in the year one thousand seven hundred and ninety-five, by the treaty of Greenville,* which runs from the crossing place above fort Lawrence to Loramie's store ; thence westerly, with the last mentioned line, to the eastern line of the reserve at Loramie's store ; thence, with the lines of said reserve, north and west, to the northwestern corner thereof ; thence to the northwestern corner of the reserve on the river St. Mary's, at the head of the navigable waters thereof ; thence, east, to the western bank of the St. Mary's river aforesaid ; thence, down on the western bank of the said river, to the reserve at fort Wayne ; thence, with the lines of the last mentioned reserve, easterly and northerly, to the north bank of the river Miami of lake Erie ; thence, down on the north bank of the said river, to the western line of the land ceded to the United States by the treaty of Detroit, in the year one thousand eight hundred and seven ; † thence, with the said line, south, to the middle of said Miami river, opposite the mouth of the Great Auglaize river ; thence, down the middle of said Miami river, and easterly with the lines of the tract ceded to the United States by the treaty of Detroit aforesaid, so far that a south line will strike the place of beginning.

Art. 2. The Pattawatima, Ottawa, and Chippewa tribes of Indians, in consideration of the stipulations herein made on the part of the United States, do hereby forever cede to the United States the land comprehended within the following lines and boundaries : Beginning where the western line of the state of Ohio crosses the river Miami of lake Erie, which is about twenty-one miles above the mouth of the Great Auglaize river ; thence, down the middle of the said Miami river, to a point north of the mouth of the Great Auglaize river ; thence, with the western line of the land ceded to the United States by the treaty of Detroit, in one thousand eight hundred and seven, ‡ north forty-five miles ; thence, west, so far that a line south will strike the place of beginning ; thence, south, to the place of beginning.

Art. 3. The Wyandot, Seneca, Delaware, Shawanec, Pattawatima, Ottawa, and Chippewa, tribes of Indians accede to the cessions mentioned in the two preceding articles.

Art. 4. In consideration of the cessions and recognitions stipulated in the three preceding articles, the United States agree to pay to the Wyandot tribe, annually, forever, the sum of four thousand dollars, in specie, at Upper Sandusky : To the Seneca tribe, annually, forever, the sum of five hundred dollars, in specie, at Lower Sandusky : To the Shawanec tribe, annually, forever, the sum of two thousand dollars, in specie, at Wapaghkonnetta : To the Pattawatima tribe, annually, for the term of fif-

teen years, the sum of one thousand three hundred dollars, in specie, at Detroit: To the Ottawa tribe, annually, for the term of fifteen years, the sum of one thousand dollars, in specie, at Detroit: To the Chippewa tribe, annually, for the term of fifteen years, the sum of one thousand dollars, in specie, at Detroit: To the Delaware tribe, in the course of the year one thousand eight hundred and eighteen, the sum of five hundred dollars, in specie, at Wapaghkonetta, but no annuity: And the United States also agree, that all annuities due by any former treaty to the Wyandot, Shawanee, and Delaware, tribes, and the annuity due by the treaty of Greenville, to the Ottawa and Chippewa tribes, shall be paid to the said tribes, respectively, in specie.

Ottawas.

Chippewas.

Delawares—
no annuity.Annuities under
former
treaties.

Art. 5. The schedule hereunto annexed, is to be taken and considered as part of this treaty; and the tracts herein stipulated to be granted to the Wyandot, Seneca, and Shawanee, tribes of Indians, are to be granted for the use of the persons mentioned in the said schedule, agreeably to the descriptions, provisions, and limitations, therein contained.

Schedule a
part of the
treaty.

Art. 6. The United States agree to grant, by patent, in fee simple, to Doanquod, Howoner, Rontondee, Tauyau, Rontayau, Dawatont, Manocue, Tauyaudautauson, and Haudauwaugh, chiefs of the Wyandot tribe, and their successors in office, chiefs of the said tribe, for the use of the persons and for the purposes mentioned in the annexed schedule, a tract of land twelve miles square, at Upper Sandusky, the centre of which shall be the place where fort Ferree stands; and also a tract of one mile square, to be located where the chiefs direct, on a cranberry swamp, on Broken Sword creek, and to be held for the use of the tribe.

Grants, in fee
simple, to the
Wyandots.

The United States also agree to grant, by patent, in fee simple, to Tahawmadoyaw, captain Harris, Isahownusay, Joseph Tawgyou, captain Smith, Coffee-house, Running About, and Wipingstick, chiefs of the Seneca tribe of Indians, and their successors in office, chiefs of the said tribe, for the use of the persons mentioned in the annexed schedule, a tract of land to contain thirty thousand acres, beginning on the Sandusky river, at the lower corner of the section hereinafter granted to William Spicer; thence, down the said river, on the east side, with the meanders thereof at high-water mark, to a point east of the mouth of Wolf creek; thence, and from the beginning, east, so far that a north line will include the quantity of thirty thousand acres aforesaid.

Grant to the
Senecas.

The United States also agree to grant, by patent, in fee simple, to Catwekesa or Black Hoof, Byaseka or Wolf, Pomthe or Walker, Shemenetoo or Big Snake, Othawakeseka or Yellow Feather, Chakalowah or the Tail's End, Pemthala or John Perry, Wabepce or White Colour, chiefs of the Shawanee tribe,

Grant to the
Shawanees.

residing at Wapaghkonetta, and their successors in office, chiefs of the said tribe, residing there, for the use of the persons mentioned in the annexed schedule, a tract of land ten miles square, the centre of which shall be the council house at Wapaghkonetta.

Grant to the Shawanees on Hog Creek.

The United States also agree to grant, by patent, in fee simple, to Peeththa or Falling Tree, and to Onowaskemo or the Resolute Man, chiefs of the Shawanee tribes, residing on Hog Creek, and their successors in office, chiefs of the said tribe, residing there, for the use of the persons mentioned in the annexed schedule, a tract of land containing twenty-five square miles, which is to join the tract granted at Wapaghkonetta, and to include the Shawanee settlement on Hog creek, and to be laid off as nearly as possible in a square form.

Grants to the Shawanees and Senecas, at Lewistown.

The United States also agree to grant, by patent, in fee simple, to Quatawape or Captain Lewis, Shekaghkela or Turtle, Skilowa or Robin, chiefs of the Shawanee tribe of Indians residing at Lewistown, and to Mesomea or Civil John, Wakawuxsheno or the White Man, Oquasheno or Joe, and Willaquasheno or When you are tired sit down, chiefs of the Seneca tribe of Indians residing at Lewistown, and to their successors in office, chiefs of the said Shawanee and Seneca tribes, for the use of the persons mentioned in the annexed schedule, a tract of land to contain forty-eight square miles, to begin at the intersection of the line run by Charles Roberts, in the year one thousand eight hundred and twelve, from the source of the Little Miami river to the source of the Sciota river, in pursuance of instructions from the commissioners appointed on the part of the United States, to establish the western boundary of the Virginia Military Reservation, with the Indian boundary line established by the treaty of Greenville, in one thousand seven hundred and ninety-five,* from the crossings above fort Lawrence to Loramie's store, and to run from such intersection, northerly, with the first mentioned line, and westerly, with the second mentioned line, so as to include the quantity as nearly in a square form as practicable, after excluding the section of land hereinafter granted to Nancy Stewart.

[* Ante, No. 3, of this chapter.]

Reservations for the Ottawas--infra art. 20th.

There shall also be reserved for the use of the Ottawa Indians, but not granted to them, a tract of land on Blanchard's fork of the Great Auglaize river, to contain five miles square, the centre of which tract is to be where the old trace crosses the said fork, and one other tract to contain three miles square, on the Little Auglaize river, to include Oquanoxa's village.

Power of conveyance in grantees.

Art. 7. And the said chiefs or their successors may, at any time they may think proper, convey to either of the persons mentioned in the said schedule, or his heirs, the quantity secured thereby to him, or may refuse so to do. But the use of the said land shall be in the said person; and after the share of

any person is conveyed by the chiefs to him, he may convey the same to any person whatever. And any one entitled by the said schedule to a portion of the said land, may, at any time, convey the same to any person, by obtaining the approbation of the President of the United States, or of the person appointed by him to give such approbation. And the agent of the United States shall make an equitable partition of the said share when conveyed. Agent to make partition.

Art. 8. At the special request of the said Indians, the United States agree to grant, by patent, in fee simple, to the persons hereinafter mentioned, all of whom are connected with the said Indians, by blood or adoption, the tracts of land herein described : Grants to Indian connexions.

To Elizabeth Whitaker, who was taken prisoner by the Wyandots, and has ever since lived among them, twelve hundred and eighty acres of land, on the west side of the Sandusky river, below Croghansville, to be laid off in a square form, as nearly as the meanders of the said river will admit, and to run an equal distance above and below the house in which the said Elizabeth Whitaker now lives. Elizabeth Whitaker.

To Robert Armstrong, who was taken prisoner by the Indians, and has ever since lived among them, and has married a Wyandot woman, one section, to contain six hundred and forty acres of land, on the west side of the Sandusky river, to begin at the place called Camp Ball, and to run up the river, with the meanders thereof, one hundred and sixty poles, and, from the beginning, down the river, with the meanders thereof, one hundred and sixty poles, and from the extremity of these lines west for quantity. Robert Armstrong.

To the children of the late William M'Collock, who was killed in August, one thousand eight hundred and twelve, near Maugaugon, and who are quarter-blood Wyandot Indians, one section, to contain six hundred and forty acres of land, on the west side of the Sandusky river, adjoining the lower line of the tract hereby granted to Robert Armstrong, and extending in the same manner with and from the said river. The children of William M'Collock.

To John Vanmeter, who was taken prisoner by the Wyandots, and who has ever since lived among them, and has married a Seneca woman, and to his wife's three brothers, Senecas, who now reside on Honey creek, one thousand acres of land, to begin north, forty-five degrees west, one hundred and forty poles from the house in which the said John Vanmeter now lives, and to run thence, south, three hundred and twenty poles, thence, and from the beginning, east for quantity. John Vanmeter and his wife's brothers.

To Sarah Williams, Joseph Williams, and Rachel Nugent, late Rachel Williams, the said Sarah having been taken prisoner by the Indians, and ever since lived among them, and being the widow, and the said Joseph and Rachel being the children, Sarah and Joseph Williams, and Rachel Nugent.

of the late Isaac Williams, a half-blood Wyandot, one quarter section of land, to contain one hundred and sixty acres, on the east side of the Sandusky river, below Croghansville, and to include their improvements at a place called Negro Point.

Catharine Walker and son John.

To Catharine Walker, a Wyandot woman, and to John R. Walker, her son, who was wounded in the service of the United States, at the battle of Maugaugon, in one thousand eight hundred and twelve, a section of six hundred and forty acres of land each, to begin at the northwestern corner of the tract hereby granted to John Vanmeter and his wife's brothers, and to run with the line thereof, south, three hundred and twenty poles, thence, and from the beginning, west for quantity.

Wm. Spicer.

To William Spicer, who was taken prisoner by the Indians, and has ever since lived among them, and has married a Seneca woman, a section of land, to contain six hundred and forty acres, beginning on the east bank of the Sandusky river, forty poles below the lower corner of said Spicer's cornfield, thence, up the river on the east side, with the meanders thereof, one mile, thence, and from the beginning, east for quantity.

Nancy Stewart.

To Nancy Stewart, daughter of the late Shawanee chief Blue Jacket, one section of land, to contain six hundred and forty acres, on the Great Miami river below Lewistown, to include her present improvements, three quarters of the said section to be on the southeast side of the river, and one quarter on the northwest side thereof.

The children of Capt. Logan.

To the children of the late Shawanee chief captain Logan, or Spamagelabe, who fell in the service of the United States during the late war, one section of land, to contain six hundred and forty acres, on the east side of the Great Auglaize river, adjoining the lower line of the grant of ten miles at Wapaghkonnetta and the said river.

Anthony Shane.

To Anthony Shane, a half-blood Ottawa Indian, one section of land, to contain six hundred and forty acres, on the east side of the river St. Mary's, and to begin opposite the house in which said Shane now lives, thence, up the river, with the meanders thereof, one hundred and sixty poles, and from the beginning down the river, with the meanders thereof, one hundred and sixty poles, and from the extremity of the said lines east for quantity.

James M'Pherson.

To James M'Pherson, who was taken prisoner by the Indians, and has ever since lived among them, one section of land, to contain six hundred and forty acres, in a square form, adjoining the northern or western line of the grant of forty-eight miles at Lewistown, at such place as he may think proper to locate the same.

The Cherokee Boy.

To Horonu, or the Cherokee Boy, a Wyandot chief, a section of land, to contain six hundred and forty acres, on the

Sandusky river, to be laid off in a square form, and to include his improvements:

To Alexander D. Godfroy and Richard Godfroy, adopted children of the Pattawatima tribe, and at their special request, one section of land, to contain six hundred and forty acres, in the tract of country herein ceded to the United States by the Pattawatima, Ottawa, and Chippewa, tribes, to be located by them, the said Alexander and Richard, after the said tract shall have been surveyed.

Alexander D.
and Richard
Godfroy.

To Sawendebans, or the Yellow Hair, or Peter Minor, an adopted son of Toudaganie, or the Dog, and at the special request of the Ottawas, out of the tract reserved by the treaty of Detroit, in one thousand eight hundred and seven,* above Roche de Bœuf, at the village of the said Dog, a section of land, to contain six hundred and forty acres, to be located in a square form, on the north side of the Miami, at the Wolf Rapid.

Yellow Hair.

(* Ante, No.
8, of this chap-
ter.)

Art. 9. The United States engage to appoint an agent, to reside among or near the Wyandots, to aid them in the protection of their persons and property, to manage their intercourse with the government and citizens of the United States, and to discharge the duties which commonly appertain to the office of Indian agent; and the same agent is to execute the same duties for the Senecas and Delawares on the Sandusky river. And an agent for similar purposes, and vested with similar powers, shall be appointed, to reside among or near the Shawanees, whose agency shall include the reservations at Wapaghkonetta, at Lewistown, at Hog creek, and at Blanchard's creek. And one mile square shall be reserved at Malake for the use of the agent for the Shawanees.

Agent for the
Wyandots,
Senecas, and
Delawares.

Agent for the
Shawanees,
with a reser-
vation of a
mile square.

And the agent for the Wyandots and Senecas shall occupy such land in the grant at Upper Sandusky, as may be necessary for him and the persons attached to the agency.

Agent for
Wyandots and
Senecas to oc-
cupy land.

Art. 10. The United States engage to erect a saw-mill and a grist-mill, upon some proper part of the Wyandot reservation, for their use, and to provide and maintain a blacksmith, for the use of the Wyandots and Senecas, upon the reservation of the Wyandots, and another blacksmith, for the use of the Indians at Wapaghkonetta, Hog creek, and Lewistown.

Saw-mill,
grist-mill, and
blacksmith,
for the Wyan-
dots and Sene-
cas, &c.

Art. 11. The stipulations contained in the treaty of Greenville, relative to the right of the Indians to hunt upon the land hereby ceded, while it continues the property of the United States, shall apply to this treaty; and the Indians shall, for the same term, enjoy the privilege of making sugar upon the same land, committing no unnecessary waste upon the trees.

Rights of
hunting and
making sugar.

Art. 12. The United States engage to pay, in the course of the year one thousand eight hundred and eighteen, the amount of the damages which were assessed by the authority of the

Payment to
Indians for
property in-
jured or de-

stroyed during the war with Great-Britain. secretary of war, in favor of several tribes and individuals of the Indians, who adhered to the cause of the United States during the late war with Great-Britain, and whose property was, in consequence of such adherence, injured or destroyed. And it is agreed, that the sums thus assessed shall be paid in specie, at the places, and to the tribes or individuals, hereinafter mentioned, being in conformity with the said assessment ; that is to say :

Wyandots. To the Wyandots, at Upper Sandusky, four thousand three hundred and nineteen dollars and thirty-nine cents.

Senecas—in-
fra. To the Senecas, at Lower Sandusky, three thousand nine hundred and eighty-nine dollars and twenty-four cents.

Indians at
Lewis, &c. To the Indians at Lewis and Scoutashs towns, twelve hundred and twenty-seven dollars and fifty cents.

Delawares. To the Delawares, for the use of the Indians who suffered losses at Greentown and at Jerome's town, three thousand nine hundred and fifty-six dollars and fifty cents, to be paid at Wapaghkonetta.

Hembis' re-
presentatives. To the representatives of Hembis, a Delaware Indian, three hundred and forty-eight dollars and fifty cents, to be paid at Wapaghkonetta.

Shawanees. To the Shawanees, an additional sum of four hundred and twenty dollars, to be paid at Wapaghkonetta.

Senecas—su-
pra. To the Senecas, an additional sum of two hundred and nineteen dollars, to be paid at Wapaghkonetta.

Payment un-
der the treaty
of fort Indus-
try.
(* Ante, No.
6, of this chap-
ter.)
Art. 13. And whereas the sum of two thousand five hundred dollars has been paid by the United States to the Shawanees, being one-half of five years' annuities due by the treaty of fort Industry,* and whereas the Wyandots contend that the whole of the annuity secured by that treaty is to be paid to them, and a few persons of the Shawance and Seneca tribes ; now, therefore, the commissioners of the United States, believing that the construction given by the Wyandots to the said treaty is correct, engage that the United States shall pay to the said Wyandot tribe in specie, in the course of the year one thousand eight hundred and eighteen, the said sum of two thousand five hundred dollars.

Roads, ta-
verns, and
ferries.
Art. 14. The United States reserve to the proper authority, the right to make roads through any part of the land granted or reserved by this treaty ; and also to the different agents, the right of establishing taverns and ferries for the accommodation of travellers, should the same be found necessary.

Grants free
from taxes.
Art. 15. The tracts of land herein granted to the chiefs, for the use of the Wyandot, Shawanee, Seneca, and Delaware, Indians, and the reserve for the Ottawa Indians, shall not be liable to taxes of any kind so long as such land continues the property of the said Indians.

Art. 16. Some of the Ottawa, Chippewa, and Pattawatima, ^{Grants for the education of Indian Catholic children.} tribes, being attached to the Catholic religion, and believing they may wish some of their children hereafter educated, do grant to the rector of the Catholic church of St. Anne of Detroit, for the use of the said church, and to the corporation of the college at Detroit, for the use of the said college, to be retained or sold, as the said rector and corporation may judge expedient, each, one half of three sections of land, to contain six hundred and forty acres, on the river Raisin, at a place called Macon; and three sections of land not yet located, which tracts were reserved, for the use of the said Indians, by the treaty of Detroit, in one thousand eight hundred and seven;* and the superintendent of Indian affairs, in the territory of Michigan, is authorized, ^(* Ante, No. 8, of this chapter.) on the part of the said Indians, to select the said tracts of land.

Art. 17. The United States engage to pay to any of the Indians, the value of any improvements which they may be obliged to abandon in consequence of the lines established by this treaty. ^{Value of Indian improvements abandoned to be paid for.}

Art. 18. The Delaware tribe of Indians, in consideration of the stipulations herein made on the part of the United States, do hereby forever cede to the United States all the claim which they have to the thirteen sections of land reserved for the use of certain persons of their tribe, by the second section of the act of congress, passed March the third, one thousand eight hundred and seven, providing for the disposal of the lands of the United States between the United States' Military Tract and the Connecticut Reserve, and the lands of the United States between the Cincinnati and Vincennes districts.† ^{Delaware cede 13 sections reserved by act of 3d March, 1807.}

Art. 19. The United States agree to grant, by patent, in fee simple, to Zeeshawau, or James Armstrong, and to Sannondoyourayquaw, or Silas Armstrong, chiefs of the Delaware Indians, living on the Sandusky waters, and their successors in office, chiefs of the said tribe, for the use of the persons mentioned in the annexed schedule, in the same manner, and subject to the same conditions, provisions, and limitations, as is hereinbefore provided for the lands granted to the Wyandot, Seneca, and Shawanee Indians, a tract of land, to contain nine square miles, to join the tract granted to the Wyandots, of twelve miles square, to be laid off as nearly in a square form as practicable, and to include Captain Pipe's village. ^{Grant to James and Silas Armstrong.}

† The provision referred to is contained in the 2d sec. of the act of 3d March, 1807, "making provision for the disposal of the public lands situated between the United States' Military Tract and the Connecticut Reserve, and for other purposes," (vol. 4. laws U. S. p. 125,) and is in the following words: "That all the lands of the U. States, in the said districts, shall, with the exception of the section number sixteen, and with the exception also of thirteen sections, including the lower town of the Delaware tribe of Indians, and their improvements, which said thirteen sections shall be designated by the Secretary of the Treasury, and shall be reserved for the use of the said tribe and their descendants, so long as they continue to reside thereon, and cultivate the same."

Grant, by
way of re-
servation, to
the Ottawas—
ante, art. 6th.

Art. 20. The United States also agree to grant, by patent, to the chiefs of the Ottawa tribe of Indians, for the use of the said tribe, a tract of land, to contain thirty-four square miles, to be laid out as nearly in a square form as practicable, not interfering with the lines of the tracts reserved by the treaty of Greenville on the south side of the Miami river of lake Erie, and to include Tushquegan, or M'Carty's village; which tracts, thus granted, shall be held by the said tribe, upon the usual conditions of Indian reservations, as though no patent were issued.

Treaty obli-
gatory when
ratified.

Art. 21. This treaty shall take effect, and be obligatory on the contracting parties, as soon as the same shall have been ratified by the president of the United States, by and with the advice and consent of the senate thereof.

In testimony whereof, the said Lewis Cass and Duncan M'Arthur, commissioners as aforesaid, and the sachems, chiefs, and warriors, of the Wyandot, Seneca, Shawanee, Delaware, Pattawatima, Ottawa, and Chippewa, tribes of Indians, have hereunto set their hands, at the foot of the Rapids of the Miami of lake Erie, this twenty-ninth day of September, in the year of our Lord one thousand eight hundred and seventeen.

LEWIS CASS,
DUNCAN M'ARTHUR.

In presence of

Wm. Turner, *secretary to the commissioners,*
John Johnston, *Indian agent,*
B. F. Stickney, *Indian agent,*
W. Knaggs, *Indian agent,*
G. Godfrey, *Indian agent,*
R. A. Forsyth, jr. *secretary Indian Department.*

Sworn Interpreters.

William Conner,	Peter Ryley,
H. W. Walker,	Henry I. Hunt,
John R. Walker,	Jos. Vance,
James M'Pherson,	Jonathan Leslie,
F. Duchouquet,	Alvan Coc,
A. Shane,	John Gunn,
J. B. Beaugrand,	C. L. Cass, <i>lt. U. S. Army.</i>

CHIPPEWAS.

Wasonnezo, his x mark,
Okemance, or the Young Chief, his x mark,
Shinguax, or Cedar, his x mark,
Kinobee, his x mark,
Chinguagin, his x mark,
Sheganack, or Black Bird, his x mark,
Mintougaboit, or the Devil Standing, his x mark,
Wastuan, his x mark,
Penquam, his x mark,
Chemokcomon, or American, his x mark,
Papecumegat, his x mark,
Matwaash, or Heard Fell Down, his x mark,

Potaquam, his x mark,
 Pensweguesic, the Jay Bird, his x mark,
 Weabskewen, or the White Man, his x mark,
 Waynoce, his x mark.

PATTAWATIMAS.

Metea, his x mark,
 Wynemac, his x mark,
 Wynemakons, or the Front, his x mark,
 Ocheackabee, his x mark,
 Conge, his x mark,
 Wankeway, his x mark,
 Perish, his x mark,
 Tonguish, his x mark,
 Papekitclia, or Flat Belly, his x mark,
 Medomin, or Corn, his x mark,
 Saguemai, or Musketo, his x mark,
 Waweacee, or Full Moon, his x mark,
 Ninwichemon, his x mark,
 Missenonsai, his x mark,
 Waysagua, his x mark,
 Nannanmee, his x mark,
 Nannansekau, his x mark,
 Meanqueab, his x mark,
 Wawenoke, his x mark,
 Ashenekazo, his x mark,
 Nanemucskuck, his x mark,
 Ashkebee, his x mark,
 Makotai, his x mark,
 Wabinsheaway, White Elk, his x mark,
 Gabriel, or Gabiniat, his x mark,
 Waishit, his x mark,
 Naonquay, his x mark,
 Meshawgonay, his x mark,
 Nitchetash, his x mark,
 Skewbicack, his x mark,
 Chechalk, or Crane, his x mark.

WYANDOTS.

Dunquad, or Half King, his x mark,
 Runtunda, or War Pole, his x mark,
 Aronuc, or Cherokee Boy, his x mark,
 T. Aruntue, or Between the Legs, his x mark,
 D. Wottondt, or John Hicks, his x mark,
 T. Undetaso, or Geo. Punch, his x mark,
 Menonkue, or Thomas, his x mark,
 Undauwau, or Matthews, his x mark.

DELAWARES.

Kithtuwheland, or Anderson, his x mark,
 Punchluck, or Capt. Beaver, his x mark,
 Tahunqeeccoppi, or Capt. Pipe, his x mark,
 Clamatonockis, his x mark,
 Aweallesa, or Whirlwind, his x mark.

SHAWANEES.

Cateweekesa, or Black Hoof, his x mark,
 Biaseka, or Wolf, his x mark,
 Pomthe, or Walker, his x mark,
 Shemenetu, or Big Snake, his x mark,
 Chacalowa, or Tail's End, his x mark,
 Pemthata, or Perry, his x mark,
 Othawakeska, or Yellow Feather, his x mark,

Wawathethaka, or Capt. Reed, his x mark,
 Tecumtequa, his x mark,
 Quitewe, War Chief, his x mark,
 Cheacksca, or Captain Tom, his x mark,
 Quitawepea, or Captain Lewis, his x mark.

SENECAS.

Methomea, or Civil John, his x mark,
 Sacourewceghtha, or Wiping Stick, his mark,
 Shekoghkell, or Big Turtle, his x mark,
 Aquasheno, or Joe, his x mark,
 Wakenuceno, White Man, his x mark,
 Samendue, or Captain Sigore, his x mark,
 Skilleway, or Robbin, his x mark,
 Dasquoerunt, his x mark.

OTTAWAS.

Tontagimi, or the Dog, his x mark,
 Misquegin, M'Carty, his x mark,
 Pontiac, his x mark,
 Oquenoxas, his x mark,
 Tashmwa, his x mark,
 Nowkesick, his x mark,
 Wabekeighke, his x mark,
 Kinewaba, his x mark,
 Twaatum, his x mark,
 Supay, his x mark,
 Nashkema, his x mark,
 Kuwashewon, his x mark,
 Kusha, his x mark.

Schedule referred to in the foregoing treaty, and to be taken and considered as part thereof.

Appropriation
 of part of the
 lands granted
 to the Wyandots.

Three sections, to contain six hundred and forty acres each, are to be reserved out of the tract of twelve miles square to be granted to the Wyandots. One of the said sections is to be appropriated to the use of a missionary, one for the support of schools, and one for the support of mechanics, and to be under the direction of the chiefs. Two sections, of six hundred and forty acres each, are to be granted to each of the following persons, being the chief of the Wyandot tribe, and his six counsellors, namely: Doouquod, or half king; Routoudu, or Warpole; Tauyaurontoyou, or Between the logs; Dawatout, or John Hicks; Manocue, or Thomas; Tauyoudautansau, or George Punch; and Hawdowuwaugh, or Matthews.

(* Query, 17.
 But it is fifteen in the original treaty.)

Division of
 the remainder.

And, after deducting the fifteen* sections thus to be disposed of, the residue of the said tract of twelve miles square is to be equally divided among the following persons, namely: Hoocue, Roudootouk, Mahoma, Naatoua, Mautanawto, Maurunquaws, Naynuhanky, Abm. Williams, sen. Squautauigh, Tauyouranuta, Tahawquevouws, Dasharows, Trayhetou, Hawtooyou, Maydounaytove, Neudooslau, Deecalroutousay, Doutooyemaugh, Datoowawna, Matsaycaanyourie, James Ranken, Sentumass, Tahautoshowweda, Madudara, Shaudouaye, Shamadecsay, Sommodowot, Moautau, Nawsottomaugh, Maurauskin-

quaws, Tawtoolowme, Shawdouyeayouro, Showweno, Dashoree, Sennewdorow, Toayttooraw, Mawskattaugh, Tahawsno-deueya, Haunarawreudee, Shauromou, Tawyaumontoreyea, Roumelay, Nadocays, Carryumanduetaugh, Bigarms, Madonrawcays, Hauranoot, Syrerundash, Tahorowtsemdee, Roosayn, Dautoresay, Nashawtoomous, Skawduutoutee, Sanorowsha, Nautennee, Youausha, Aumatourow, Ohoutautoon, Tawyou-gauwayou, Sootonteeree, Dootooau, Hawreewaucudee, You-rahatsa, Towntoreshaw, Syuwewataugh, Cauyou, Omitztse-shaw, Gausawaugh, Skashowayssquaw, Mawdovdoo, Naroway-shaus, Nawcaty, Isuhowhayeato, Myatouska, Tauoodowma, Youhrco, George Williams, Oharvatoy, Saharossor, Isaac Williams, Squindatee, Mayeatohot, Lewis Coon, Isatouque, or John Coon, Tawaumalocay or E. Wright, Owawtatuw, Ison-traudee, Tomatsahoss, Sarrahoss, Tauyoureehoryeow, Saudotoss, Toworordu or Big Ears, Tauomatsarau, Tanoroudoyou or Two, Daurechau, Dauoreenu, Trautohauweetough, Yonrou-quains or the widow of the Crane, Caunaytoma, Hottomorrow, Taweesho, Dauquausay, Toumon, Hoogaudoorow, Newdeetoutow, Dawhowhouk, Daushouteehawk, Sawaronuis, Norrow, Tawwass, Tawareroons, Neshaustay, Toharratoregh, Taurowtotucawaa, Youshindauyato, Taosanays, Sadowerrais, Isanowtowtoug or Fox Widow, Sauratoudo or William Zane, Hayannoise, or Ebenezer Zane, Mawcasharrow or widow M'Culloch, Susannah, Teshawtaugh, Bawews, Tamatarank, Razor, Rahisau, Cadutore, Shawnetaurew, Tatararow, Cuqua, Yourowon, Jauyounaoskra, Tanorawayout, Howcuquawdorow, Gooyeamee, Dautsaqua, Maudamu, Sanoreeshoc, Hawleeyea-tausay, Gearoohee, Matoskrawtoug, Dawweeshoe, Jawyourawot, Nacudseoranauaurayk, Youronurays, Scoutush, Serroy-much, Hoondeshotch, Ishuskeah, Dusharraw, Ondewaus, Du-yewtale, Roueyoutacolo, Hoonorowyoutacole, Hownorowduro, Nawanaunonelo, Tolhomanona, Ekiyamik, Tyeeahwkeunohale, Aushewhowole, Schowondashres, Mondushawquaw, Tayondrakele, Giveriahes, Sootreeshuskoh, Suyouturaw, Tiudee, Tahorroshoquaw, Irahkasquaw, Ishoreameusuwat, Curoueyot-tell, Noriyettete, Siyarech, Testeatete.

The thirty thousand acres for the Senecas upon the Sandus-
ky river, is to be equally divided among the following persons,
namely: Syuwasantau, Nawwene, Joseph, Iseumetaugh or
Picking up a club, Orauhaotodee or Turn over, Taudauros
or Split the river, Tahowtoorains or Jo Smeech, Ismomduare,
Yellow-bay, Dashowrowramou, or Drifting sand, Hauautounas-
quas, Hamyautuhow, Tahocayn, Howdautauyeao or King
George, Standing Bones, Cyahaga or Fisher, Suthemoore, Red
Skin, Mentauteehoore, Hyauaskraman or Knife in his hand,
Running About, John Smith, Carrying the Basket, Cauwauay
or Striking, Rewauyeato or Carrying the news. Half up the

Division of
the lands
granted to the
Senecas.

Hill, Trowyoudoys or G. Hunter, Spike Buck, Caugooshow or Clearing up, Mark on his Hip, Captain Hams, Isetaune or Crying often, Tauneroyea or Two companies, Haudonwouays or Stripping the river, Isohauhasay or Tall chief, Tahowmandoyou, Howyouway or Paddling, Clouding up, Youwautowtoyou or Burnt his body, Shetouyouwee or Sweet foot, Tauhaugainstoany or Holding his hand about, Oharrowtoddee or Turning over, Haucamarout, Sarrowsauismatare or Striking sword, Sadudeto, Oshoutoy or Burning berry, Hard Hickory, Curetsctau, Youronocay or Isaac, Youtradowwonlee, Newtauyaro, Tayouououte or Old foot, Tauposanetee, Syunout or Give it to her, Doonstough or Bunch on his forehead, Tyaudusout or Joshua Hendricks, Taushaushaurow or Cross the arms, Henry, Youwaydaueya or the Island, Armstrong, Shake the Ground, His Neck Down, Youheno, Towotoyoudo or Looking at her, Captain Smith, Tobacco, Standing Stone, Ronunais or Wiping stick, Tanduhatse or Large Bones, Hamanchagave, House Fly or Maggot, Roudouma or Sap running, Big Belt, Cat Bone, Sammy, Taongauats or Round the point, Ramuye or Hold the Sky, Mentoududu, Hownotant, Slippery Nose, Tauslowquowsay, or Twenty wives, Hoogaurow or Mad man, Coffee-House, Long Hair.

Division of the tract at Wapaghkonetta.

The tract of ten miles square at Wapaghkonetta is to be equally divided among the following persons, namely: The Black Hoof, Pompthe or Walker, Piaseka or Wolf, Shemenu-tu or Snake, Othawakeseka or Yellow Feather, Penethata or Perry, Chacalaway or the End of the tail, Quitawee or War chief, Sachachewa, Waseweela, Waseweela or Bright horn, Otharosa or yellow, Tepetoseka, Caneshemo, Newabetucka, Cawawescucka, Thokutchema, Setakosheka, Topee or James Saunders, Meshenewa, Tatiape, Pokechaw, Alawaymotakah, Lallaway or Perry, Wabenee, Nemekoshee, Nenepemeshequa or Cornstalk, Sheshe, Shawabaghke, Naneskaka, Thakoska or David M'Nair, Skapakake, Shapoquata, Peapakseka, Quagh-quona, Quotowame, Nitasheka, Thakaska or Spy buck, Peka-thekseka, Tewaskoota or James Blue Jacket, Calawesa, Quaho, Kaketchheka or W. Perry, Swapee, Peekto or Davy Baker, Skokapowa or George M'Dougall, Chepakoso, Shemay or Sam, Chiakoska or Captain Tom, General Wayne, Thaway, Othawee, Weeasesaka or Captain Reed, Lewaytaka, Tegoshea or George, Shekacumsheka, Wesheshemo, Mawenatcheka, Quashke, Thaswa, Baptieste, Waywalapee, Peshequkame, Chakalakee or Tom, Keywaypee, Egotacumshequa, Wabepee, Aquash-equa, Pemotah, Nepaho, Takepee, Toposheka, Lathawanomo, Sowaghkota or Yellow clouds, Meenkesheka, Asheseka, Ochipway, Thapaeka, Chakata, Nakacheke, Thathouakata, Paytokothe, Pasleske, Shesheloo, Quanaqua, Kalkoo, Toghshena, Capowa, Ethowakosee, Quaquesha, Capea, Thakatcheway, The

man going up hill, Magotha, Tecumtequa, Tetepakotha, Kerkentha, Sheatwa, Shiabwasson, Koghkela, Akopee or a Heap of any thing, Lamatothe, Kesha, Pankoor, Peitchthator or Peter, Metchepeelah, Capeah, Showagame, Wawaleepesheeka, Meewensheka, Nanemepahtoo or Trotter, Pamitchepetoo, Chalequa, Tetetee, Lesheshe, Nawabasheka or white feather, Skepakeskeshe, Tenakee, Shemaka, Pasheto, Thiatcheto, Metchemetches, Chakowa, Lawathska, Potchetee or the Man without a tail, Awaubaneshekaw, Patacoma, Lamakeshaka, Papashow, Weathaksheka, Pewaypee, Totah, Canaquah, Skepakutcheka, Welvies, Kitahoe, Neentakoshe, Oshaishe, Chilosee, Quilaisha, Mawethaque, Akepee, Quelenee. The tract of five miles square, at Hog creek, is to be equally divided among the following persons, namely : Peeththa, Onowashim, Pematheywa, Wabekesheke, Leeso, Pohcawese, Shemagauashe, Nehquakahucka, Papaskootepa, Meamepetoo, Welawenaka, Petiska, Ketuckepee, Lawitchetee, Epaumec, Chanacke, Jose, Lanawytucka, Shawaynaka, Wawatashewa, Ketaksosa, Shashkopeah, Lakose, Quinaska.

Division of the tract at Hog creek.

The tract of forty-eight square miles, including Lewistown, is to be equally divided among the following persons, namely : *Shawanees*—Colonel Lewis, Polly Kizer, Theuetescepuah or Weed, Calossete, Vamauweke, Wawcumsee, Skitlewa, Naya-bepe, Wosheta, Nopamago, Willesque, Salock, Walathe, Silver-smith, Siatha, Toseluo, Jemmy McDonald, Jackson, Mohawk Thomas, Silverheels, John, Wewachee, Cassie, Atshena, Frenchman, Squesenau, Goohunt, Manwealte, Walisee, Billy, Thawwame, Wopsquitty, Naywale, Big Turtle, Nolawat, Nawalippa, Razor, Blue, Tick, Nerer, Falling Star, Hale Clock, Hisoscock, Essquaseeto, Geore, Nuussome, Sauhanoe, Joseph, Scotowe, Battease, Crow, Shilling, Scotta, Nowpour, Nameawah, Quemauto, Snife, Captain, Taudetoso, Sunrise, Sowget, Deshau, Little Lewis, Jacquis, Tonaout, Swaunacou, General, Cossaboll, Bald, Crooked Stick, Wespata, Newasa, Garter, Porcupine, Pocaloche, Wocheque, Sauquaha, Enata, Panther, Colesctos, Joe. *Senecas*—Civil John, Wild Duck, Tall Man, Molasses, Ash, Nahanexa, Tasauk, Agusquenah, Roughleg, Quequesaw, Playful, Hairlip, Tutinque, Hillnepewayatuska, Tauhunsequa, Nynoh, Suchusque, Leematque, Treuse, Sequate, Caumecus, Scouneti, Tocondusque, Conhoudatwaco, Cowista, Nequatren, Cowhoused, Gillwas, Axtaea, Conawwehow, Sutteasee, Kiahoot, Crane, Silver, Bysaw, Crayfish, Woollyhead, Conundahau, Shacosaw, Coindos, Hutchequa, Nayau, Conodose, Coneseta, Nesluata, Owl, Couauka, Cocheco, Couewash, Sinnecouacheckowe or Leek.

Division of the tract including Lewistown.

The tract of three miles square for the Delaware Indians, adjoining the tract of twelve miles square upon the Sandusky river, is to be equally divided among the following persons,

Division of the tract for the Delawares

namely: Captain Pipe, Zeshauau or James Armstrong, Mahautoo or John Armstrong, Sanoudoyeasquaw or Silas Armstrong, Teorow or Black Raccoon, Hawdorouwatistie or Billy Montour, Buck Wheat, William Dondee, Thomas Lyons, Johnny Cake, Captain Wolf, Isaac Hill, John Hill, Tishatahoones or widow Armstrong, Ayenucere, Hoomaurou or John Ming, Youdorast.

LEWIS CASS,
DUNCAN M'ARTHUR, } *Commissioners.*

Treaty with the Wyandots, Senecas, Shawanees, and Ottawas.

St. Mary's, (O.) 17th Sept. 1818.

(* The preceding treaty, No. 16.)

The grants in the treaty of 29th Sept. 1817, to be considered only as reservations, for the use of the Indians, &c.

Additional reservation for the Wyandots.

Reservation for Wyandots

No. 17. Articles of a treaty made and concluded, at St. Mary's, in the state of Ohio, between Lewis Cass and Duncan M'Arthur, commissioners of the United States, with full power and authority to hold conferences, and conclude and sign a treaty or treaties, with all or any of the tribes or nations of Indians within the boundaries of the state of Ohio, of and concerning all matters interesting to the United States and the said nations of Indians, and the sachems, chiefs, and warriors, of the Wyandot, Seneca, Shawanee, and Ottawa, tribes of Indians; being supplementary to the treaty made and concluded with the said tribes, and the Delaware, Pattawatima, and Chipewewa, tribes of Indians, at the foot of the Rapids of the Miami of lake Erie, on the twenty-ninth day of September, in the year of our Lord one thousand eight hundred and seventeen.*

Art. 1. It is agreed, between the United States and the parties hereunto, that the several tracts of land, described in the treaty to which this is supplementary, and agreed thereby to be granted by the United States to the chiefs of the respective tribes named therein, for the use of the individuals of the said tribes, and also the tract described in the twentieth article of the said treaty, shall not be thus granted, but shall be excepted from the cession made by the said tribes to the United States, reserved for the use of the said Indians, and held by them in the same manner as Indian reservations have been heretofore held. But is further agreed, that the tracts thus reserved shall be reserved for the use of the Indians named in the schedule to the said treaty, and held by them and their heirs forever, unless ceded to the United States.

Art. 2. It is also agreed that there shall be reserved for the use of the Wyandots, in addition to the reservations before made, fifty-five thousand six hundred and eighty acres of land, to be laid off in two tracts, the first to adjoin the south line of the section of six hundred and forty acres of land heretofore reserved for the Wyandot chief, the Cherokee Boy, and to extend south to the north line of the reserve of twelve miles square, at Upper Sandusky, and the other to join the east line of the reserve of twelve miles square, at Upper Sandusky, and to extend east for quantity.

There shall also be reserved, for the use of the Wyandots residing at Solomon's town, and on Blanchard's fork, in addi-

tion to the reservations before made, sixteen thousand acres of land, to be laid off in a square form, on the head of Blanchard's fork, the centre of which shall be at the Big Spring, on the trace leading from Upper Sandusky to fort Findlay; and one hundred and sixty acres of land, for the use of the Wyandots, on the west side of the Sandusky river, adjoining the said river, and the lower line of two sections of land, agreed, by the treaty to which this is supplementary, to be granted to Elizabeth Whitaker.

at Solomon's town, &c.

There shall also be reserved, for the use of the Shawanees, in addition to the reservations before made, twelve thousand eight hundred acres of land, to be laid off adjoining the east line of their reserve of ten miles square, at Wapaghkonetta; and for the use of the Shawanees and Senecas, eight thousand nine hundred and sixty acres of land, to be laid off adjoining the west line of the reserve of forty-eight square miles at Lewistown. And the last reserve hereby made, and the former reserve at the same place, shall be equally divided by an east and west line, to be drawn through the same. And the north half of the said tract shall be reserved for the use of the Senecas who reside there, and the south half for the use of the Shawanees who reside there.

Additional reservation for the Shawanees—and for the Senecas.

There shall also be reserved for the use of the Senecas, in addition to the reservations before made, ten thousand acres of land, to be laid off on the east side of the Sandusky river, adjoining the south line of their reservation of thirty thousand acres of land, which begins on the Sandusky river, at the lower corner of William Spicer's section, and excluding therefrom the said William Spicer's section.

Further reservation for the Senecas.

Art. 3. It is hereby agreed that the tracts of land, which, by the eighth article of the treaty to which this is supplementary, are to be granted by the United States to the persons therein mentioned, shall never be conveyed, by them or their heirs, without the permission of the president of the United States.

Grants to certain persons not to be conveyed without permission.

Art. 4. The United States agree to pay to the Wyandots an additional annuity of five hundred dollars, forever; to the Shawanees, and to the Senecas of Lewistown, an additional annuity of one thousand dollars, forever; and to the Senecas an additional annuity of five hundred dollars, forever; and to the Ottawas an additional annuity of one thousand five hundred dollars, forever. And these annuities shall be paid at the places, and in the manner, prescribed by the treaty to which this is supplementary.

Additional annuities to the Wyandots, Shawanees, Senecas, and Ottawas.

Art. 5. This treaty shall take effect, and be obligatory on the contracting parties, as soon as the same shall be ratified by the president of the United States, by and with the advice and consent of the senate thereof.

This treaty effective when ratified.

In testimony whereof, the said Lewis Cass and Duncan M'Arthur, commissioners as aforesaid, and the sachems, chiefs, and warriors, of the Wyandot, Seneca, Shawanee, and Ottawa, tribes of Indians, have hereunto set their hands, at St. Mary's, in the state of Ohio, this seventeenth day of September, in the year of our Lord one thousand eight hundred and eighteen.

LEWIS CASS,
DUNCAN M'ARTHUR.

In presence of

Win. Turner, *secretary*,
John Johnston, *Indian agent*,
B. F. Stickney, *Indian agent*,
B. Parke, *district judge of Indiana*,
Jonathan Jennings, *governor of Indiana*,
Alexander Wolcott, jr. *Indian agent, Detroit*,
John Conner,
J. T. Chunn, *major of 3d infantry*,
R. A. Forsyth, jr. *secretary Indian department*,
Wm. P. Rathbone, *army contractor*,
G. M. Grosvenor, *captain 8th infantry*.

Sworn Interpreters.

Henry I. Hunt,
John Kenzer, *Sub agent*,
F. Duchouquet,
W. Knaggs.

A. Shane,
John B. Walker,
L. Jouett, *Indian agent*.

OTTAWAS.

Keueaghbon, or Bald Eagle, his x mark,
Peshekata, or Marked Legs, his x mark,
Shwanabe, or Muskrat, his x mark,
Toutogana, or The Dog, his x mark,
Tushquagon, or McCarty, his x mark,
Mushkema, his x mark.

SHAWANEES.

Cuttewekasa, or Black Hoof, his x mark,
Shemenetu, or Big Snake, his x mark,
Biaseka, or Wolf, his x mark,
Pomthe, or Walker, his x mark,
Chacalawa, or Long Tail, his x mark,
Pemthata, or Perry, his x mark,
Red Man, or Capt. Reed, his x mark,
Chiakeska, or Captain Tom, his x mark,
Tecuntequa, or Elk in the Water, his x mark,
Quitawepa, or Colonel Lewis, his x mark,
Captain Pipe, his x mark,
James Armstrong, his x mark.

OTTOWAS.

Metesheneiwa, or Bear's Man, his x mark,
Oquenoxe, his x mark,
Pencshaw, or Eagle, his x mark.

WYANDOTS.

Douquad, or Half King, his x mark,
Rontondu, or War Pole, his x mark,

Tuayaurontoyou, or Between the Logs, his x mark,
 Dauatout, or John Hicks, his x mark,
 Horonu, or Cherokee Boy, his x mark,
 Teoudetosso, or George Punch, his x mark,
 Hawdoro, or Matthews, his x mark,
 Skoutous, his x mark,
 Quouqua, his x mark.

SENECAS.

Methomea, or Civil John, his x mark,
 Shckoghkell, or Big Turtle, his x mark,
 Waghkonoxie, or White Bone, his x mark,
 Tochequia, or Yellow Bone, his x mark,
 Captain Togone, his x mark,
 Cunneskokant, or Harris, his x mark,
 Tousonecta, or His Blanket Down, his x mark,
 Wiping Stick, his x mark.

No. 18. A treaty, made and concluded, by, and between, Ninian Edwards and Auguste Chouteau, Commissioners on the part and behalf of the United States of America, of the one part, and the undersigned, principal chiefs and warriors of the Peoria, Kaskaskia, Mitchigamia, Cahokia, and Tamarois, tribes of the Illinois nation of Indians, on the part and behalf of the said tribes, of the other part.

Treaty with
the Peoria,
Kaskaskia,
Mitchigamia,
Cahokia, and
Tamarois In-
dians.

Whereas, by the treaty made at Vincennes, on the thirteenth day of August, in the year of our Lord one thousand eight hundred and three,* between the United States, of the one part, and the head chiefs and warriors of the tribe of Indians commonly called the Kaskaskia tribe, but which was composed of, and rightfully represented, the Kaskaskia, Mitchigamia, Cahokia, and Tamarois, tribes of the Illinois nation of Indians, of the other part, a certain tract of land was ceded to the United States, which was supposed to include all the land claimed by those respective tribes, but which did not include, and was not intended to include, the land which was rightfully claimed by the Peoria Indians, a tribe of the Illinois nation, who then did, and still do, live separate and apart from the tribes above-mentioned, and who are not represented in the treaty referred to above, nor ever received any part of the consideration given for the cession of land therein mentioned: And whereas the said tribe of Peoria are now also disposed to cede all their land to the United States, and, for the purpose of avoiding any dispute with regard to the boundary of their claim, are willing to unite with the Kaskaskia, Mitchigamia, Cahokia, and Tamarois, tribes, in confirming the cession of land to the United States, which was made by the treaty above referred to, and in extending the cession so as to include all the land claimed by those tribes, and themselves, respectively.

Edwardsville,
25th September,
1818.

[Post, chap.
9, No. 1.]

A tract of
land ceded by
the treaty of
Vincennes, of
13th August,
1803, did not
include land
claimed by the
Peorias.

The Peorias
now disposed
to cede.

Art. 1. For which purpose the undersigned, head chiefs and warriors of the Peoria, Kaskaskia, Mitchigamia, Cahokia, and Tamarois, tribes of the Illinois nation of Indians, for the con-

Cession by all
the tribes,
parties to this
treaty.

siderations hereinafter mentioned, do hereby relinquish, cede, and confirm to the United States, all the land included within the following boundaries, viz: Beginning at the confluence of the Ohio and Mississippi rivers; thence, up the Ohio, to the mouth of Saline creek, about twelve miles below the mouth of the Wabash; thence, along the dividing ridge between the waters of said creek and the Wabash, to the general dividing ridge between the waters which fall into the Wabash and those which fall into the Kaskaskia river; thence, along the said ridge, until it reaches the waters which fall into the Illinois river; thence a direct line to the confluence of the Kankakee and Maple rivers; thence, down the Illinois river, to its confluence with the Mississippi river, and down the latter to the beginning.

Stipulations in the treaty of Vincennes to continue obligatory.

The U. S. will protect the tribes, parties to this treaty.

The Peorias to refrain from making war, &c. without consent of the U. S.

2000 dollars in merchandise, and an annuity of 300 dollars, for 12 years, to the Peorias.

The U. S. cede 640 acres of land to the Peorias.

Peorias accept the presents, annuity, and land, in full for all their claims.

Art. 2. It is mutually agreed, by the parties hereto, that all the stipulations contained in the treaty, above referred to, shall continue binding and obligatory on both parties.

Art. 3. The United States will take the Peoria tribe, as well as the other tribes herein abovementioned, under their immediate care and patronage, and will afford them a protection as effectual, against any other Indian tribes, and against all other persons whatever, as is enjoyed by the citizens of the United States. And the said Peoria tribe do hereby engage to refrain from making war, or giving any insult or offence, to any other Indian tribe, or to any foreign nation, without first having obtained the approbation and consent of the United States.

Art. 4. In addition to two thousand dollars' worth of merchandise, this day paid to the abovementioned tribes of Indians, the receipt whereof is hereby acknowledged, the United States promise to pay to the said Peoria tribe, for the term of twelve years, an annuity of three hundred dollars, in money, merchandise, or domestic animals, at the option of the said tribe; to be delivered at the village of St. Genevieve, in the territory of Missouri.

Art. 5. The United States agree to cede, to the said Peoria tribe, six hundred and forty acres of land, including their village on Blackwater river, in the territory of Missouri; provided that the said tract is not included within a private claim; but should that be the case, then some other tract of equal quantity and value shall be designated for said tribe, at such place as the president of the United States may direct. And the said Peoria tribe hereby agree to accept the same, together with the presents now given them, and the annuity hereby promised them, as a full equivalent for all and every tract of land to which they have any pretence of right or title.

In testimony whereof, the commissioners aforesaid, and the undersigned chiefs and warriors as aforesaid, have hereun-

to subscribed their names and affixed their seals. Done at Edwardsville, in the state of Illinois, this twenty-fifth day of September, in the year of our Lord one thousand eight hundred and eighteen, and of the Independence of the United States the forty-third.

NINIAN EDWARDS,
AUG. CHOUTEAU.

PEORIAS.

Waw Peeshawkawnan, Shield, his x mark,
Wassawcosangaw, Shine, his x mark,
Naynawwitwaw, Sentinel, his x mark,
Wissineeaw, the Eater, his x mark,
Rawmissawnoa, or Wind, his x mark,
Mawressaw, or Knife, his x mark,
Koongeepawtaw, his x mark,
Batticy, or Baptist, his x mark,
Kecmawraneaw, or Seal, his x mark,
Wecomawkawnaw, his x mark,
Keeshammy, or Cut off a Piece, his x mark.

KASKASKIAS.

Louis Jefferson Decouagne, his x mark,
Wawpamahwhawaw, or White Wolf, his x mark,
Awrawnapingeaw, or Whale, his x mark,
Keemawassaw, or Little Chief, his x mark.

MITCHIGAMIAS.

Wackshinggaw, or Crooked Moon, his x mark,
Keetawkeemawwaw, or Andrew, his x mark,
Manggonssaw, his x mark.

CAHOKIAS.

Mooyawkacke, or Mercier, his x mark,
Pemmeekawwattaw, or Henry, his x mark,
Papenegeesawwaw, his x mark,
Shopinnaw, or Pint, his x mark,
Maysheeweerrattaw, or Big Horn, his x mark.

TAMAROIS.

Mahkattamawweeyaw, Black Wolf, his x mark,
Queckkawpectaw, or Round Seat, his x mark.

In presence of

Pascal Cerre, *secretary to the commissioners*,
Abraham Prickett,
B. Stephenson,
John M'Kee,
Joseph Conway,
Josias Randle,
Ebenezer Baldwin,
Reuben H. Walworth,
William Swettaud,
John Kain,
R. Pulliam,
John Gaither,
N. Bucknett,
Jacob Prickett,
John Wilson,
William P. M'Kee,
James Watts,
John Howard,

Richard Brevoortfield,
Robert Bogue,
James Mason,
John Shinn, jur.
John H. Randle,
Edmund Randle.

Treaty with
the Ottawas
and Chippewa.
Michilimackinac and L'Arbre Croche,
6th July,
1820.

St. Martin
Islands ceded
to the U. S.

Goods in full
satisfaction to
the Indians.

No. 19. Articles of a treaty, made and concluded at L'Arbre Croche, and Michilimackinac, in the territory of Michigan, between the United States of America, by their Commissioner, Lewis Cass, and the Ottawa and Chippewa nations of Indians.

Art. 1. The Ottawa and Chippewa nations of Indians cede to the United States the St. Martin Islands in lake Huron, containing Plaster of Paris, and to be located under the direction of the United States.

Art. 2. The Ottawa and Chippewa nations of Indians acknowledge to have this day received a quantity of goods in full satisfaction of the above cession.

Art. 3. This treaty shall be obligatory on the contracting parties after the same shall be ratified by the President of the United States, by and with the advice and consent of the senate thereof.

In testimony whereof, the said Lewis Cass, Commissioner as aforesaid, and the chiefs and warriors of the Ottawa and Chippewa nations of Indians, have hereunto set their hands, at Michilimackinac and L'Arbre Croche, in the territory of Michigan, this 6th day of July, in the year of our Lord one thousand eight hundred and twenty.

LEWIS CASS.

Ottawa chiefs, {	Skahjenini, his x mark,
	Pahquesegun, or Smoking Weed, his x mark
	Chemogueman, or Big Knife, his x mark,
	Misesonguay, his x mark,
	Papametaby, his x mark,
	Ceitaw, his x mark,
	Shawanoe, his x mark,
	Oninjuega, or Wing, Ottawa chief, his x mark,
	Cuddimalmese, or Black Hawk, Ottawa chief, his x mark.
	Dionesau, his x mark,
	Kojenoikoose, or Long, his x mark,
	Kenojekum, or Pike, his x mark,
	Cachetokee, his x mark,
	Gimoewon, or Rain, his x mark,
	Chiboisquisegun, or Big Gun, his x mark,
	Skubinesse, or Red Bird, his x mark,
	Weashe, his x mark,
	Nebaguam, his x mark,
Chippewa chiefs, {	Ainse, his x mark,
	Shaganash, or Englishman, his x mark.

Witnesses present:

Jed. Morse, D. D.
Gilbert Knapp.
Richard C. Morse,
H. G. Gravenant, *sworn interpreter*,
George Boyd, *Indian agent*.

No. 20. Articles of a treaty made and concluded at Chicago, in the state of Illinois, between Lewis Cass and Solomon Sibley, commissioners of the United States, and the Ottawa, Chippewa, and Pattiwatima, nations of Indians.

Art. 1. The Ottawa, Chippewa, and Pattiwatima, nations of Indians cede to the United States all the land comprehended within the following boundaries: Beginning at a point on the south bank of the river St. Joseph of lake Michigan, near the Parc aux Vaches, due north from Rum's village, and running thence south to a line drawn due east from the southern extreme of lake Michigan, thence with the said line east to the tract ceded by the Pattiwatimas to the United States by the treaty of fort Meigs in 1817,* if the said line should strike the said tract, but if the said line should pass north of the said tract, then such line shall be continued until it strikes the western boundary of the tract ceded to the United States by the treaty of Detroit in 1807,† and from the termination of the said line, following the boundaries of former cessions, to the main branch of the grand river of lake Michigan, should any of the said lines cross the said river; but if none of the said lines should cross the said river, then to a point due east of the source of the said main branch of the said river, and from such point due west to the source of the said principal branch, and from the crossing of the said river, or from the source thereof, as the case may be, down the said river, on the north bank thereof, to the mouth; thence following the shore of lake Michigan to the south bank of the said river St. Joseph, at the mouth thereof, and thence with the said south bank to the place of beginning.

Chicago, 29th August, 1821.
Ottawas,
Chippewas,
and Pattiwatimas, cede the land within the boundaries described.

(† Ante, No. 8, of this chapter.)

Reservations.

Art. 2. From the cession aforesaid, there shall be reserved, for the use of the Indians, the following tracts:

One tract at Mang-ach-quā village, on the river Peble, of six miles square.

One tract at Mick-ke-saw-be, of six miles square.

One tract at the village of Na-to-wa-se-pe, of four miles square.

One tract at the village of Prairie Ronde, of three miles square.

One tract at the village of Match-e-be-nash-she-wish, at the head of the Kekalamazoo river.‡

Art. 3. There shall be granted by the United States to each of the following persons, being all Indians by descent, and to their heirs, the following tracts of land:

To John Burnet, two sections of land.

John Burnet.

To James Burnet, Abraham Burnet, Rebecca Burnet, and Nancy Burnet, each one section of land; which said John, James, Abraham, Rebecca, and Nancy, are children of Kaw-

J. A. R. and N. Burnet.

* For the treaty referred to, see ante, No. 16, of this chapter.

‡ For the extent of this tract, see note by the commissioners at the foot of this treaty.

kec-me, sister of Top-ni-be, principal chief of the Pattiwatima nation.

Location of
preceding
grants.

The land granted to the persons immediately preceding, shall begin on the north bank of the river St. Joseph, about two miles from the mouth, and shall extend up and back from the said river for quantity.

J. B. La Lime.

To John B. La Lime, son of Noke-no-qu, one-half a section of land, adjoining the tract before granted, and on the upper side thereof.

J. B. Chandonai.

To Jean B. Chandonai, son of Chip-pe-wa-qu, two sections of land, on the river St. Joseph, above and adjoining the tract granted to J. B. La Lime.

J. Daze.

To Joseph Daze, son of Chip-pe-wa-qu, one section of land above and adjoining the tract granted to Jean B. Chandonai.

Monguago.

To Monguago, one-half a section of land, at Mish-she-wa-kink.

P. Moran.

To Pierre Moran or Peeresh, a Pattiwatima chief, one section of land, and to his children two sections of land, at the mouth of the Elk-heart river.

P. Le Clerc.

To Pierre Le Clerc, son of Moi-qu, one section of land on the Elk-heart river, above and adjoining the tract granted to Moran and his children.

The section to
Peeresh, &c
in 1818, granted
to J. B.
Cicot.

The section of land granted by the treaty of St. Mary's, in 1818, to Peeresh or Perig,* shall be granted to Jean B. Cicot, son of Pe-say-quot, sister of the said Peeresh, it having been so intended at the execution of the said treaty.

Osheakkebe.

To O-she-ak-ke-be or Benac, one-half of a section of land on the north side of the Elk-heart river, where the road from Chicago to fort Wayne first crosses the said river.

Menawche.

To Me-naw-che, a Pattiwatima woman, one-half of a section of land on the eastern bank of the St. Joseph, where the road from Detroit to Chicago first crosses the said river.

Theresa
Chandler.

To Theresa Chandler or To-e-ak-qui, a Pattiwatima woman, and to her daughter Betsey Fisher, one section of land on the south side of the Grand River, opposite to the Spruce Swamp.

C. and M.
Beaubien.

To Charles Beaubien and Medart Beaubien, sons of Man-na-ben-a-qu, each one-half of a section of land near the village of Ke-wi-go-shkeem, on the Washtenaw river.

Antoine
Roland.

To Antoine Roland, son of I-gat-pat-a-wat-a-mie-qu, one half of a section of land adjoining and below the tract granted to Pierre Moran.

W. Knaggs.

To William Knaggs or Was-cs-kuk-son, son of Ches-qu, one-half of a section of land adjoining and below the tract granted to Antoine Roland.

M. Bertrand.

To Madeline Bertrand, wife of Joseph Bertrand, a Pattiwatima woman, one section of land at the Parc aux Vaches, on the north side of the river St. Joseph.

* See ante, No. 17, of this chapter, and the schedule at the foot thereof.

To Joseph Bertrand, junior, Benjamin Bertrand, Laurent J. B. L. T. & Bertrand, Theresa Bertrand, and Amable Bertrand, children A. Bertrand. of the said Madeline Bertrand, each one-half of a section of land at the portage of the Kankakee river.

To John Riley, son of Me-naw-cum-a-go-quoi, one section John Riley. of land, at the mouth of the river Au Foin, on the Grand River, and extending up the said river.

To Peter Riley, the son of Me-naw-cum-e-go-quua, one sec- P. Riley. tion of land, at the mouth of the river Au Foin, on the Grand River, and extending down the said river.

To Jean B. Le Clerc, son of Moi-quua, one-half of a section J. B. Le Clerc. of land, above and adjoining the tract granted to Pierre Le Clerc.

To Joseph La Framboise, son of Shaw-we-no-quua, one sec- J. La Framboise. tion of land upon the south side of the river St. Joseph, and adjoining on the upper side the land ceded to the United States, which said section was also ceded to the United States.

The tracts of land herein stipulated to be granted, shall never be leased or conveyed by the grantees or their heirs to any persons whatever, without the permission of the President of the United States. And such tracts shall be located after the said cession is surveyed, and in conformity with such surveys as near as may be, and in such manner as the President may direct.

Grantees cannot lease or convey lands without permission of the President.

Tracts to be located after survey, &c.

Art. 4. In consideration of the cession aforesaid, the United States engage to pay to the Ottawa nation, one thousand dollars in specie annually forever, and also to appropriate annually, for the term of ten years, the sum of fifteen hundred dollars, to be expended as the President may direct, in the support of a blacksmith, of a teacher, and of a person to instruct the Ottawas in agriculture and in the purchase of cattle and farming utensils. And the United States also engage to pay to the Pattiwatima nation five thousand dollars in specie, annually, for the term of twenty years, and also to appropriate annually, for the term of fifteen years, the sum of one thousand dollars, to be expended as the president may direct, in the support of a blacksmith and a teacher. And one mile square shall be selected, under the direction of the president, on the north side of the Grand River, and one mile square on the south side of the St. Joseph, and within the Indian lands not ceded, upon which the blacksmiths and teachers employed for the said tribes, respectively, shall reside.

The U. S. to pay \$1000 annually forever, and \$1500 for 10 years, to the Ottawas, &c.

\$5000 annually, for 20 years, and \$1000 for 15 years to the Pattiwatimas. 2 miles square of land for blacksmiths and teachers.

Art. 5. The stipulation contained in the treaty of Greenville,* relative to the right of the Indians to hunt upon the land ceded while it continues the property of the United States, shall apply to this treaty.

Right of Indians to hunt on land ceded. (* Ante, No. 3, of this chapter.)

Art. 6. The United States shall have the privilege of making and using a road through the Indian country, from Detroit and fort Wayne, respectively, to Chicago.

U. S. may make a road through the Indian country, &c.

This treaty effective as soon as ratified.

Art. 7. This treaty shall take effect and be obligatory on the contracting parties, as soon as the same shall be ratified by the president of the United States, by and with the advice and consent of the senate thereof.

In testimony whereof, the said Lewis Cass and Solomon Sibley, Commissioners as aforesaid, and the chiefs and warriors of the said Ottawa, Chippewa, and Pattiwatima, nations, have hereunto set their hands, at Chicago aforesaid, this 29th day of August, in the year of our Lord one thousand eight hundred and twenty-one.

LEWIS CASS,
SOLOMON SIBLEY.

OTTAWAS.

Kewagoushcum, his x mark,
Nokawjegaun, his x mark,
Kee-o-to-aw-be, his x mark,
Ket-che-me-chi-na-waw, his x mark,
Ep-pe-san-se, his x mark,
Kay-nee-wee, his x mark,
Mo-a-put-to, his x mark,
Mat-che-pee-na-che-wish, his x mark.

CHIPPEWAS.

Met-tay-waw, his x mark,
Mich-el, his x mark.

PATTIWATIMAS.

To-pen-ne-bee, his x mark,
Mee-te-ay, his x mark,
Chee-banse, his x mark,
Loui-son, his x mark,
Wee-saw, his x mark,
Kee-po-taw, his x mark,
Shay-auk-ke-bee, his x mark,
Sho-mang, his x mark,
Waw-we-uck-ke-meck, his x mark,
Nay-ou-chee-mon, his x mark,
Kon-gee, his x mark,
Shee-shaw-gan, his x mark,
Aysh-cam, his x mark,
Meek-say-mank, his x mark,
May-ten-way, his x mark,
Shaw-wen-ne-me-tay, his x mark,
Francois, his x mark,
Mauk-see, his x mark,
Way-me-go, his x mark,
Man-daw-min, his x mark,
Quay-guee, his x mark,
Aa-pen-naw-bee, his x mark,
Mat-cha-wee-yaas, his x mark,
Mat-cha-pag-gish, his x mark,
Mongaw, his x mark,
Pug-gay-gaus, his x mark,
Ses-cobe-mesh, his x mark,
Chee-gwa-mack-gwa-go, his x mark,
Waw-seb-baw, his x mark,
Pee-chee-co, his x mark,

Quoi-quoi-taw, his x mark,
 Pe-an-nish, his x mark,
 Wy-ne-naig, his x mark,
 O-nuck-ke-meck, his x mark,
 Ka-way-sin, his x mark,
 A-meck-kose, his x mark,
 Os-see-meet, his x mark,
 Shaw-ko-to, his x mark,
 No-shay-we-quatt, his x mark,
 Mee-gwun, his x mark,
 Mesh-she-ke-ten-now, his x mark,
 Kee-no-to-go, his x mark,
 Wa-baw-nec-she, his x mark,
 Shaw-waw-nay-see, his x mark,
 Atch-wee-muck-quee, his x mark,
 Pish-she-baw-gay, his x mark,
 Waw-ba-saye, his x mark,
 Meg-ges-seese, his x mark,
 Say-gaw-koo-nuck, his x mark,
 Shaw-way-no, his x mark,
 Shee-shaw-gun, his x mark,
 To-to-mee, his x mark,
 Ash-kee-wee, his x mark,
 Shay-auk-ke-bee, his x mark,
 Aw-be-tone, his x mark.

In presence of

Alex. Wolcott, jr. *Indian agent*,
 Jno. R. Williams, *Adj. Gen. M. Ma.*
 G. Godfroy, *Indian agent*,
 W. Knaggs, *Indian agent*,
 Jacob Visget,
 Henry I. Hunt,
 H. Phillips, *Paymr. U. S. Army*,
 R. Montgomery,
 Jacob B. Varnum, *U. S. Factor*,
 John B. Beaubien,
 Conrad Ten Eyck,
 J. Whippley,
 George Miles, jun.
 Henry Connor,
 James Barnerd,
 John Kenzie, *Sub-agent*.

The tract reserved at the village of Match-e-be-nash-she-wish, at the head of the Ke-kal-i-ma-zoo river,* was by agreement to be three miles square. The extent of the reservation was accidentally omitted.

The tract at
 Matcheben-
 ashshewish to
 be three miles
 square.

LEWIS CASS,
 SOLOMON SIBLEY.

[Note. The Wyandots are parties in common to Nos. 1, 2, 3, 5, 6, 8, 9, 12, 13, 16, 17, of this chapter, and sole parties to other treaties, for which see post, chap. 27. The Delawares, to Nos. 1, 2, 3, 4, 6, 7, 10, 12, 13, 16, and sole parties to others, for which see ante, chap. 1. The Chippewas, to Nos. 1, 2, 3, 6, 8, 9, 13, 15, 16, 19, 20, and sole parties to others, for which see post, chap. 30. The Ottawas are parties in common to Nos. 1, 2, 3, 6, 8, 9, 13, 15, 16, 17, 19, 20, of this chapter. The Potawatamies, to

* Ante, 2d art. of this treaty.

Nos. 2, 3, 4, 6, 7, 8, 9, 10, 13, 15, 16, 20, and sole parties to others, for which see post, chap. 15. The Sacs, to No. 2, of this chapter, and also are, with the Foxes, (who occupy the same territory and are united with them) parties to other treaties, for which see post, chap. 11. The Shawanees, to Nos. 3, 4, 6, 9, 12, 13, 16, 17, and sole parties to others, for which see post, chap. 7. The Miamies, to Nos. 3, 4, 7, 10, 11, 12, 13, and sole parties to others, for which see post, chap. 28. The Eel Rivers, are parties in common to Nos. 3, 4, 5, 7, 10, 11, of this chapter. The Weas, to Nos. 3, 4, 7, 14, and sole parties to others, for which see post, chap. 13. The Kickapoos, to Nos. 3, 4, 5, 14, and sole parties to others, for which see post, chap. 14. The Piankeshaws, to Nos. 3, 4, 5, and sole parties to others, for which see post, chap. 10. The Kaskaskias, to Nos. 3, 4, 5, 18, and sole parties to others, for which see post, chap. 9. The Munsees are parties in common to No. 6, of this chapter. The Senekas, are parties in common to Nos. 12, 13, 16, 17. [The Senekas who are here referred to, separated from the Senecas of New York, and emigrated to the state of Ohio, some years ago, where they now reside; the Senccas of New York, therefore, are in no ways connected with the treaties made with those of Ohio. For treaties, &c. in which the former are concerned, (and in some of which the latter were, of course, before their removal, also concerned,) see ante, chap. 2, Nos. 1, 2, 3, 4, 8, 9, 10, 11.] The Peoria, Michigamia, Cahokia, and Tamarois tribes of the Illinois nation, are parties in common to No. 18 of this chapter.]

CHAPTER IV.

Treaties with the Cherokees.

Treaty with the Cherokees.

No. 1. Articles concluded at Hopewell, on the Keowee, between Benjamin Hawkins, Andrew Pickens, Joseph Martin, and Lachlan M'Intosh, commissioners plenipotentiary of the United States of America, of the one part, and the head men and warriors of all the Cherokees, of the other.

The United States give peace, &c.

The commissioners plenipotentiary of the United States in congress assembled, give peace to all the Cherokees, and receive them into the favor and protection of the United States of America, on the following conditions:

Prisoners, negroes, &c. to be restored by the Cherokees.

Art. 1. The head men and warriors of all the Cherokees, shall restore all the prisoners, citizens of the United States, or subjects of their allies, to their entire liberty: they shall also restore all the negroes, and all other property taken during the late war, from the citizens, to such person, and at such time and place, as the commissioners shall appoint.

Restoration of Indian prisoners.

Art. 2. The commissioners of the United States in congress assembled, shall restore all the prisoners taken from the Indians during the late war, to the head men and warriors of the Cherokees, as early as is practicable.

The Cherokees under the exclusive protection of the United States.

Art. 3. The said Indians, for themselves and their respective tribes and towns, do acknowledge all the Cherokees to be under the protection of the United States of America, and of no other sovereign whatsoever.

Boundary of the Cherokee

Art. 4. The boundary allotted to the Cherokees for their hunting grounds, between the said Indians and the citizens of

the United States, within the limits of the United States of America, is, and shall be the following, viz. Beginning at the mouth of Duck river, on the Tennessee; thence running north-east to the ridge dividing the waters running into Cumberland from those running into the Tennessee; thence eastwardly along the said ridge to a northeast line to be run, which shall strike the river Cumberland forty miles above Nashville; thence along the said line to the river; thence up the said river to the ford where the Kentucky road crosses the river; thence to Campbell's line, near Cumberland Gap; thence to the mouth of Claud's creek on Holston; thence to the Chimney-top mountain; thence to Camp creek, near the mouth of Big Limestone, on Nolichucky; thence a southerly course six miles to a mountain; thence south to the North Carolina line; thence to the South Carolina Indian boundary, and along the same southwest over the top of the Oconee mountain till it shall strike Tugalo river; thence a direct line to the top of the Currahee mountain; thence to the head of the south fork of Oconee river.

Art. 5. If any citizen of the United States, or other person, not being an Indian, shall attempt to settle on any of the lands westward or southward of the said boundary, which are hereby allotted to the Indians for their hunting grounds, or having already settled and will not remove from the same within six months after the ratification of this treaty, such person shall forfeit the protection of the United States, and the Indians may punish him or not as they please: provided nevertheless, that this article shall not extend to the people settled between the fork of French Broad and Holston rivers, whose particular situation shall be transmitted to the United States in congress assembled, for their decision thereon, which the Indians agree to abide by.

Art. 6. If any Indian or Indians, or person residing among them, or who shall take refuge in their nation, shall commit a robbery or murder, or other capital crime, on any citizen of the United States, or person under their protection, the nation, or the tribe to which such offender or offenders may belong, shall be bound to deliver him or them up to be punished according to the ordinances of the United States: provided, that the punishment shall not be greater than if the robbery or murder, or other capital crime, had been committed by a citizen on a citizen.

Art. 7. If any citizen of the United States, or person under their protection, shall commit a robbery or murder, or other capital crime, on any Indian, such offender or offenders shall be punished in the same manner as if the murder or robbery, or other capital crime, had been committed on a citizen of the United States; and the punishment shall be in presence of some of the Cherokees, if any shall attend at the time and place, and

hunting grounds, &c.
See post, No. 2, art. 4, of this chapter.

Citizens settling on, or refusing to remove from, Cherokee hunting grounds, outlawed.

Proviso; in favor of certain settlers.

Robbers, murderers, &c. to be delivered up by the Cherokees.

Proviso; as to the degree of punishment.

Punishment of citizens for robbing or murdering Indians, &c.

Cherokees may be pre-

sent at the
punishment.

that they may have an opportunity so to do, due notice of the time of such intended punishment shall be sent to some one of the tribes.

Retaliation for
private inju-
ries re-
strained, &c.

Art. 8. It is understood that the punishment of the innocent, under the idea of retaliation, is unjust, and shall not be practised on either side, except where there is a manifest violation of this treaty; and then it shall be preceded first by a demand of justice; and if refused, then by a declaration of hostilities.

Congress to
regulate trade
with the Che-
rokees, &c.

Art. 9. For the benefit and comfort of the Indians, and for the prevention of injuries or oppressions on the part of the citizens or Indians, the United States in congress assembled shall have the sole and exclusive right of regulating the trade with the Indians, and managing all their affairs in such manner as they think proper.

Temporary
liberty of
trade with the
Cherokee
towns, &c.

Art. 10. Until the pleasure of congress be known respecting the ninth article, all traders, citizens of the United States, shall have liberty to go to any of the tribes or towns of the Cherokees to trade with them, and they shall be protected in their persons and property, and kindly treated.

Cherokees to
give notice of
designs
against the
United States.

Art. 11. The said Indians shall give notice to the citizens of the United States, of any designs which they may know or suspect to be formed in any neighboring tribe, or by any person whomsoever, against the peace, trade, or interest of the United States.

The Chero-
kees have a
right to send a
deputy to con-
gress.

Art. 12. That the Indians may have full confidence in the justice of the United States, respecting their interests, they shall have the right to send a deputy of their choice, whenever they think fit, to congress.

Peace and
friendship
universal, &c.

Art. 13. The hatchet shall be forever buried, and the peace given by the United States, and friendship re-established between the said states on the one part, and all the Cherokees on the other, shall be universal; and the contracting parties shall use their utmost endeavors to maintain the peace given as aforesaid, and friendship re-established.

In witness of all and every thing herein determined, between the United States of America and all the Cherokees, we, their underwritten commissioners, by virtue of our full powers, have signed this definitive treaty, and have caused our seals to be hereunto affixed.

Done at Hopewell, on the Keowee, this twenty-eighth of November, in the year of our Lord one thousand seven hundred and eighty-five.

Benjamin Hawkins,

l. s.

Andw. Pickens,

l. s.

Jos. Martin,

l. s.

Lach'n M'Intosh,

l. s.

Koatohee, or Corn Tassel of Toquo, his x mark,

l. s.

Scholauetta, or Hanging Man of Chota, his x mark,

l. s.

Tuskegatahu, or Long Fellow of Chistohoe, his x mark,	l. s.
Ooskwha, or Abraham of hilkowa, his x mark,	l. s.
Kolakusta, or Prince of Noth, his x mark,	l. s.
Newota or the Gritts of Chicamaga, his x mark,	l. s.
Konatota, or the Rising Fawn of Highwassay, his x mark,	l. s.
Tuckasee, or Young Terrapin of Allajoy, his x mark,	l. s.
Toostaka, or the Waker of Oostanawa, his x mark,	l. s.
Untoola, or Gun Rod of Seteco, his x mark,	l. s.
Unsuokanail, Buffalo White Calf New Cussee, his x mark,	l. s.
Kostaycak, or Sharp Fellow Wataga, his x mark,	l. s.
Chonosta, of Cowe, his x mark,	l. s.
Chescoonwho, Bird in Close of Tomotlug, his x mark,	l. s.
Tuckasee, or Terrapin of Hightowa, his x mark,	l. s.
Chesetoa, or the Rabbit of Tlacoa, his x mark,	l. s.
Chesecotetona, or Yellow Bird of the Pine Log, his x mark,	l. s.
Sketaloska, Second Man of Tillico, his x mark,	l. s.
Chokasatahe, Chickasaw Killer Tasonta, his x mark,	l. s.
Onanoota, of Koosote, his x mark,	l. s.
Ookoseta, or Sower Mush of Kooloque, his x mark,	l. s.
Umatootha, the Water Hunter Choikamawga, his x mark,	l. s.
Wyuka, of Lookout Mountain, his x mark,	l. s.
Tulco, or Tom of Chatuga, his x mark,	l. s.
Will, of Akoha, his x mark,	l. s.
Necatee, of Sawta, his x mark,	l. s.
Amokontakona, Kuteloa, his x mark,	i. s.
Kowetatahee, in Frog Town, his x mark,	l. s.
Kenkuch, Talkoa, his x mark,	l. s.
Tulatiska, of Chaway, his x mark,	l. s.
Wooluka, the Waylayer, Chota, his x mark,	l. s.
Tatliusta, or Porpoise of Tilassi, his x mark,	l. s.
John, of Little Tallico, his x mark,	l. s.
Skelelak, his x mark,	l. s.
Akonoluchta, the Cabin, his x mark,	l. s.
Cheanoka, of Kawetakac, his x mark,	l. s.
Yellow Bird, his x mark,	l. s.

Witness :

Wm. Blount,
 Saml. Taylor, *major*,
 John Owen,
 Jess. Walton,
 Jno. Cowan, *capt. commandant*,
 Thos. Gregg,
 W. Hazzard,
 James Madison, } *sworn interpreters.*
 Arthur Coodey, }

No. 2. A treaty of peace and friendship, made and concluded between the Treaty with president of the United States of America, on the part and behalf of the the Chero- said states, and the undersigned chiefs and warriors of the Cherokee na- kees. tion of Indians, on the part and behalf of the said nation.

The parties being desirous of establishing permanent peace Mutual desire and friendship between the United States and the said Chero- for peace, kee nation, and the citizens and members thereof, and to re- friendship, &c. move the causes of war, by ascertaining their limits and making other necessary, just, and friendly arrangements: the president of the United States, by William Blount, governor of

the territory of the United States of America south of the river Ohio, and superintendent of Indian affairs for the southern district, who is vested with full powers for these purposes, by and with the advice and consent of the senate of the United States: and the Cherokee nation, by the undersigned chiefs and warriors representing the said nation, have agreed to the following articles, namely:

Perpetual
peace and
friendship.

Art. 1. There shall be perpetual peace and friendship between all the citizens of the United States of America, and all the individuals composing the whole Cherokee nation of Indians.

Cherokees
under the pro-
tection of the
United States;
and not to
treat with
other powers,
&c.

Art. 2. The undersigned chiefs and warriors, for themselves and all parts of the Cherokee nation, do acknowledge themselves and the said Cherokee nation, to be under the protection of the United States of America, and of no other sovereign whosoever; and they also stipulate that the said Cherokee nation will not hold any treaty with any foreign power, individual state, or with individuals of any state.

Prisoners to
be mutually
restored.

Art. 3. The Cherokee nation shall deliver to the governor of the territory of the United States of America south of the river Ohio, on or before the first day of April next, at this place, all persons who are now prisoners, captured by them from any part of the United States: and the United States shall, on or before the same day, and at the same place, restore to the Cherokees, all the prisoners now in captivity, which the citizens of the United States have captured from them.

Boundary be-
tween the
United States
and the Che-
rokee nation.

Art. 4. The boundary* between the citizens of the United States and the Cherokee nation, is and shall be as follows: Beginning at the top of the Currahee mountain, where the Creek line passes it; thence a direct line to Tugelo river; thence northeast to the Occunna mountain, and over the same along the South Carolina Indian boundary to the North Carolina boundary; thence north to a point from which a line is to be extended to the river Clinch, that shall pass the Holston at the ridge which divides the waters running into Little River from those running into the Tennessee; thence up the river Clinch to Campbell's line, and along the same to the top of Cumberland mountain; thence a direct line to the Cumberland river where the Kentucky road crosses it; thence down the Cumberland river to a point from which a southwest line will strike the ridge which divides the waters of Cumberland from those of Duck river, forty miles above Nashville; thence down the said ridge to a point from whence a southwest line will strike the mouth of Duck river.

* For the boundary established in 1785, by the treaty of Hopewell, see ante, No. 1, article 4, of this chapter.

And in order to preclude forever all disputes relative to the said boundary, the same shall be ascertained, and marked plainly, by three persons appointed on the part of the United States, and three Cherokees, on the part of their nation.

Boundary to be ascertained by three citizens and three Cherokees.

And in order to extinguish forever all claims of the Cherokee nation, or any part thereof, to any of the land lying to the right of the line above described, beginning as aforesaid at the Currahee mountain, it is hereby agreed, that in addition to the consideration heretofore made for the said land, the United States will cause certain valuable goods to be immediately delivered to the undersigned chiefs and warriors, for the use of their nation; and the said United States will also cause the sum of one thousand dollars to be paid annually to the said Cherokee nation. And the undersigned chiefs and warriors do hereby, for themselves and the whole Cherokee nation, their heirs and descendants, for the considerations abovementioned, release, quit claim, relinquish, and cede, all the land to the right of the line described, and beginning as aforesaid.

Extinguishment of Cherokee claims.

The United States to deliver goods, and pay \$1,000 annually to the Cherokees.

Cherokee cession of land.

Art. 5. It is stipulated and agreed, that the citizens and inhabitants of the United States, shall have a free and unmolested use of a road from Washington district to Mero district, and of the navigation of the Tennessee river.

Free road from Washington to Mero, &c.

Art. 6. It is agreed on the part of the Cherokees, that the United States shall have the sole and exclusive right of regulating their trade.

Cherokee trade, &c.

Art. 7. The United States solemnly guaranty to the Cherokee nation, all their lands not hereby ceded.

Guaranty of Cherokee lands.

Art. 8. If any citizen of the United States, or other person, not being an Indian, shall settle on any of the Cherokees' lands, such person shall forfeit the protection of the United States, and the Cherokees may punish him or not, as they please.

Citizens settling on Cherokee lands, outlawed.

Art. 9. No citizen or inhabitant of the United States, shall attempt to hunt or destroy the game on the lands of the Cherokees; nor shall any citizen or inhabitant go into the Cherokee country, without a passport first obtained from the governor of some one of the United States, or territorial districts, or such other person as the president of the United States may, from time to time, authorize to grant the same.

No citizen to hunt on Cherokee lands.

Passports to go into the Cherokee country.

Art. 10. If any Cherokee Indian or Indians, or person residing among them, or who shall take refuge in their nation, shall steal a horse from, or commit a robbery or murder, or other capital crime, on any citizens or inhabitants of the United States, the Cherokee nation shall be bound to deliver him or them up, to be punished according to the laws of the United States.

The Cherokees to deliver up criminals, &c.

Art. 11. If any citizen or inhabitant of the United States, or of either of the territorial districts of the United States, shall go into any town, settlement, or territory belonging to the Cherokee nation, he shall be liable to be punished according to the laws of the United States.

Punishment of citizens offending against friend-

ly Indians in
Cherokee
towns, &c.

kees, and shall there commit any crime upon, or trespass against the person or property of any peaceable and friendly Indian or Indians, which, if committed within the jurisdiction of any state, or within the jurisdiction of either of the said districts, against a citizen or white inhabitant thereof, would be punishable by the laws of such state or district, such offender or offenders, shall be subject to the same punishment, and shall be proceeded against in the same manner as if the offence had been committed within the jurisdiction of the state or district to which he or they may belong, against a citizen or white inhabitant thereof.

Retaliation for
private inju-
ries, restrain-
ed, &c.

Art. 12. In case of violence on the persons or property of the individuals of either party, neither retaliation or reprisal shall be committed by the other, until satisfaction shall have been demanded of the party of which the aggressor is, and shall have been refused.

The Chero-
kees to give
notice of de-
signs against
the United
States.

Art. 13. The Cherokees shall give notice to the citizens of the United States, of any designs which they may know, or suspect, to be formed in any neighboring tribe, or by any person whatever, against the peace and interest of the United States.

The United
States to fur-
nish imple-
ments of hus-
bandry, &c.

Art. 14. That the Cherokee nation may be led to a greater degree of civilization, and to become herdsmen and cultivators, instead of remaining in a state of hunters, the United States will, from time to time, furnish, gratuitously, the said nation with useful implements of husbandry; and further to assist the said nation in so desirable a pursuit, and at the same time to establish a certain mode of communication, the United States will send such, and so many persons to reside in said nation, as they may judge proper, not exceeding four in number, who shall qualify themselves to act as interpreters. These persons shall have lands assigned by the Cherokees for cultivation for themselves and their successors in office; but they shall be precluded exercising any kind of traffic.

Interpreters.

Lands for In-
terpreters.

Animosities
to cease, &c.

Art. 15. All animosities for past grievances shall henceforth cease, and the contracting parties will carry the foregoing treaty into full execution with all good faith and sincerity.

This treaty to
take effect as
soon as ratifi-
ed.

Art. 16. This treaty shall take effect and be obligatory on the contracting parties, as soon as the same shall have been ratified by the president of the United States, with the advice and consent of the senate of the United States.

In witness of all and every thing herein determined between the United States of America and the whole Cherokee nation, the parties have hereunto set their hands and seals, at the treaty ground on the bank of the Holston, near the mouth of the French Broad, within the United States, this second day of July, in the year of our Lord one thousand seven hundred and ninety-one.

William Blount, governor in and over the territory of the U. S. of America south of the river Ohio, and superintendent of Indian affairs for the southern district,

l. s.

Chuleeah, or the Boots, his x mark,	l. s.
Squollecuttah, or Hanging Maw, his x mark,	l. s.
Occunna, or the Badger, his x mark,	l. s.
Enoleh, or Black Fox, his x mark,	l. s.
Nontuaka, or the Northward, his x mark,	l. s.
Tekakiska, his x mark,	l. s.
Chutloh, or King Fisher, his x mark,	l. s.
Tuckaseh, or Terrapin, his x mark,	l. s.
Kateh, his x mark,	l. s.
Kunnochatutloh, or the Crane, his x mark,	l. s.
Cauquillchanah, or the Thigh, his x mark,	l. s.
Chesquotteleneh, or Yellow Bird, his x mark,	l. s.
Chickasawtehe, or Chickasaw Killer, his x mark,	l. s.
Tuskegatehe, Tuskega Killer, his x mark,	l. s.
Kulsatehe, his x mark,	l. s.
Tinkshalene, his x mark,	l. s.
Sawutteh, or Slave Catcher, his x mark,	l. s.
Aukuah, his x mark,	l. s.
Oosenaleh, his x mark,	l. s.
Kenotctah, or Rising Fawn, his x mark,	l. s.
Kanetetoka, or Standing Turkey, his x mark,	l. s.
Yonewatleh, or Bear at Home, his x mark,	l. s.
Long Will, his x mark,	l. s.
Kunoskeskie, or John Watts, his x mark,	l. s.
Nenetooyah, or Bloody Fellow, his x mark,	l. s.
Chuquilatague, or Double Head, his x mark,	l. s.
Koolaquah, or Big Acorn, his x mark,	l. s.
Toowayelloh, or Bold Hunter, his x mark,	l. s.
Jahleoonoyehka, or Middle Striker, his x mark,	l. s.
Kinnesah, or Cabin, his x mark,	l. s.
Tullotehe, or Two Killer, his x mark,	l. s.
Kaalouske, or Stopt Still, his x mark,	l. s.
Kulsatche, his x mark,	l. s.
Auquotague, the Little Turkey's son, his x mark,	l. s.
Talohteske, or Upsetter, his x mark,	l. s.
Cheakoneske, or Otter Lifter, his x mark,	l. s.
Keshukaune, or She Reigns, his x mark,	l. s.
Toonaunailoh, his x mark,	l. s.
Tceesteke, or Common Disturber, his x mark,	l. s.
Robin M'Clemore,	l. s.
Skyuka,	l. s.
John Thompson, <i>interpreter</i> ,	
James Cery, <i>interpreter</i> .	

Done in presence of

Daniel Smith, *secretary of the territory of the U. States south of the river Ohio*,
 Thomas Kennedy, of Kentucky,
 James Robertson, of Mero District,
 Claiborne Watkins, of Virginia,
 Jno. M'Whitney, of Georgia,
 Fauche, of Georgia,
 Titus Ogden, North-Carolina,
 John Chisolm, of Washington District,
 Robert King,
 Thomas Gegg.

[*Note.* The boundaries prescribed in the fourth article of this treaty, are confirmed by the 2d article of that which immediately follows. But there is an alteration with respect to the annuity and the restitution of stolen horses. See the following treaty, No. 3, articles 3 and 4, of this chapter.]

ADDITIONAL ARTICLE.

Additional article to the treaty of Holston, of the 2d of July, 1791.

To the (next preceding) treaty made between the United States and the Cherokees, on the 2d day of July, one thousand seven hundred and ninety-one.

It is hereby mutually agreed, between Henry Knox, secretary of war, duly authorized thereto in behalf of the United States, on the one part, and the undersigned chiefs and warriors, in behalf of themselves and the Cherokee nation, on the other part, that the following article shall be added to, and considered as part of, the treaty made between the United States and the said Cherokee nation, on the 2d day of July, one thousand seven hundred and ninety-one, to wit:

The sum to be paid annually by the United States to the Cherokee nation of Indians, in consideration of the relinquishment of lands, as stated in the treaty* made with them on the second day of July, one thousand seven hundred and ninety-one, shall be one thousand five hundred dollars, instead of one thousand dollars, mentioned in the said treaty.

In testimony whereof, the said Henry Knox, secretary of war, and the said chiefs and warriors of the Cherokee nation, have hereunto set their hands and seals, in the city of Philadelphia, this seventeenth day of February, in the year of our Lord one thousand seven hundred and ninety-two.

H. Knox, <i>secretary of war,</i>	l. s.
Iskagua, or Clear Sky, his x mark,	l. s.
<i>formerly</i>	
Nenetooyah, or Bloody Fellow,	l. s.
Nontuaka, or the Northward, his x mark,	l. s.
Chutloh, or Kingfisher, his x mark,	l. s.
Katigolah, or the Prince, his x mark,	l. s.
Teesteki, or Common Disturber, his x mark,	l. s.
Suaka, or George Miller, his x mark.	l. s.

In the presence of

Thomas Grooter,
Jno. Staggs, junr.
Leonard D. Shaw,
James Cerey, *sworn interpreter to the Cherokee nation.*

Treaty with the Cherokees.

(† See ante, No. 2, of this chapter.)

Former treaty not fully executed.

No. 3. Articles of a treaty between the United States of America, and the Cherokee Indians.

Whereas the treaty made and concluded on Holston river,† on the second day of July, one thousand seven hundred and ninety-one, between the United States of America and the Cherokee nation of Indians, has not been fully carried into execution by reason of some misunderstandings which have arisen:

* See ante, No. 2, article 4, of this chapter.

Art. 1. And whereas the undersigned Henry Knox, secretary for the department of war, being authorized thereto by the president of the United States, in behalf of the said United States, and the undersigned chiefs and warriors, in their own names, and in behalf of the whole Cherokee nation, are desirous of establishing peace and friendship between the said parties in a permanent manner, do hereby declare, that the said treaty of Holston is, to all intents and purposes, in full force, and binding upon the said parties, as well in respect to the boundaries there-
The treaty of Holston, (ante, No. 2, of this chapter,) declared to be binding on both parties.

Art. 2. It is hereby stipulated that the boundaries mentioned in the fourth article of the said treaty, shall be actually ascertained and marked in the manner prescribed by the said article, whenever the Cherokee nation shall have ninety days' notice of the time and place at which the commissioners of the United States intend to commence their operation.
The boundaries to be marked, as stipulated in article 4. (Ante, No. 2, of this chapter.)

Art. 3. The United States, to evince their justice, by amply compensating the said Cherokee nation of Indians for all relinquishments of land made, either by the treaty of Hopewell, upon the Keowee river,* concluded on the twenty-eighth of November, one thousand seven hundred and eighty-five, or the aforesaid treaty made upon Holston river,† on the second of July, one thousand seven hundred and ninety-one, do hereby stipulate, in lieu of all former sums to be paid annually, to furnish the Cherokee Indians with goods suitable for their use, to the amount of five thousand dollars yearly.‡
(* Ante, No. 1, of this chapter.) († Ante, No. 2, of this chapter.)

Art. 4. And the said Cherokee nation, in order to evince the sincerity of their intentions in future, to prevent the practice of stealing horses, attended with the most pernicious consequences to the lives and peace of both parties, do hereby agree, that for every horse which shall be stolen from the white inhabitants by any Cherokee Indians, and not returned within three months, that the sum of fifty dollars shall be deducted from the said annuity of five thousand dollars.
Annual supply of goods to the amount of \$5,000. For every horse stolen by Cherokees, and not returned within three months, \$50 to be deducted.

Art. 5. The articles now stipulated will be considered as permanent additions to the treaty of Holston, as soon as they shall have been ratified by the president of the United States and the senate of the United States.
These articles permanent as soon as ratified.

In witness of all and every thing herein determined between the United States of America and the whole Cherokee nation, the parties have hereunto set their hands and seals in the city of Philadelphia, within the United States, this

‡ By the 4th article of the treaty of Holston, (ante, No. 2, of this chapter,) the United States stipulated to pay the Cherokees \$1,000 annually. This sum was subsequently increased to \$1,500 by an additional article to that treaty, concluded on the 17th day of February, in the year 1792. See the additional article referred to, following No. 2, and immediately preceding this treaty.

twenty-sixth day of June, in the year of our Lord one thousand seven hundred and ninety-four.

H. Knox, <i>secretary of war</i> ,	l. s.
Tekakisskee, or Taken out of the Water, his x mark,	l. s.
Nontuaka, or the Northward, his x mark,	l. s.
Cinasaw, or the Cabin, his x mark,	l. s.
Skyuka, his x mark,	l. s.
Chuquilatague, or Double Head, his x mark,	l. s.
John McClemore, his x mark,	l. s.
Walahoo, or the Humming Bird, his x mark,	l. s.
Chuleowee, his x mark,	l. s.
Ustanaqua, his x mark,	l. s.
Kullusathee, his x mark,	l. s.
Siteaha, his x mark,	l. s.
Keenaguna, or the Lying Fawn, his x mark,	l. s.
Chatakaelesa, or the Fowl Carrier,	l. s.

Done in the presence of

John Thompson, } *interpreters*,
 Arthur Coodey, }
 Cantwell Jones, of Delaware,
 William Wofford, of the state of Georgia,
 W. M'Caleb, of South-Carolina,
 Samuel Lewis, of Philadelphia.

'Treaty with
the Chero-
kees.

Delay in the
execution of
the treaty of
Holston, &c.

Treaty of
Philadelphia,
for ascertain-
ing bounda-
ries, as fixed
by the treaty
of Holston.

Further de-
lays, &c.

No. 4. Articles of a treaty between the United States of America, and the Cherokee Indians.

Whereas the treaty* made and concluded on Holston river, on the second day of July, in the year one thousand seven hundred and ninety-one, between the United States of America, and the Cherokee nation of Indians, had not been carried into execution, for some time thereafter, by reason of some misunderstandings which had arisen: and whereas, in order to remove such misunderstandings, and to provide for carrying the said treaty into effect, and for re-establishing more fully the peace and friendship between the parties, another treaty† was held, made, and concluded, by and between them, at Philadelphia, the twenty-sixth day of June, in the year one thousand seven hundred and ninety-four: in which, among other things, it was stipulated, that the boundaries mentioned in the fourth article of the said treaty of Holston, should be actually ascertained and marked, in the manner prescribed by the said article, whenever the Cherokee nation should have ninety days' notice of the time and place at which the commissioners of the United States intended to commence their operation: and whereas further delays in carrying the said fourth article into complete effect did take place, so that the boundaries mentioned and described therein, were not regularly ascertained and marked, un-

* See ante, No. 2, of this chapter. † Ante, No. 3, of this chapter.

til the latter part of the year one thousand seven hundred and ninety-seven; before which time, and for want of knowing the direct course of the said boundary, divers settlements were made, by divers citizens of the United States, upon the Indian lands over and beyond the boundaries so mentioned and described in the said article, and contrary to the intention of the said treaties; but which settlers were removed from the said Indian lands, by authority of the United States, as soon after the boundaries had been so lawfully ascertained and marked as the nature of the case had admitted: and whereas, for the purpose of doing justice to the Cherokee nation of Indians, and remedying inconveniences arising to citizens of the United States from the adjustment of the boundary line between the lands of the Cherokees and those of the United States, or the citizens thereof, or from any other cause in relation to the Cherokees; and in order to promote the interests and safety of the said states, and the citizens thereof, the president of the United States, by and with the advice and consent of the senate thereof, hath appointed George Walton, of Georgia, and the president of the United States hath also appointed lieutenant colonel Thomas Butler commanding the troops of the United States in the state of Tennessee, to be commissioners for the purpose aforesaid; and who, on the part of the United States, and the Cherokee nation, by the undersigned chiefs and warriors, representing the said nation, have agreed to the following articles, namely:

Citizens ignorant of the course of the boundary, and settled on Indian lands, removed, &c.

This treaty entered into for the purposes of justice, and for remedying inconveniences,

Art. 1. The peace and friendship subsisting between the United States and the Cherokee people, are hereby renewed, continued, and declared perpetual.

Peace and friendship renewed.

Art. 2. The treaties subsisting between the present contracting parties, are acknowledged to be of full and operating force; together with the construction and usage under their respective articles, and so to continue.

Subsisting treaties recognized. Ante, Nos. 1, 2, and 3, of this chap.

Art. 3. The limits and boundaries of the Cherokee nation, as stipulated and marked by the existing treaties between the parties, shall be and remain the same, where not altered by the present treaty.

Boundaries as heretofore, where not altered. See ante, No 3, art. 2, of this chapter

Art. 4. In acknowledgment for the protection of the United States, and for the considerations hereinafter expressed and contained, the Cherokee nation agree, and do hereby relinquish and cede to the United States, all the lands within the following points and lines, viz: from a point on the Tennessee river, below Tellico block house, called the Wildcat Rock, in a direct line to the Militia spring, near the Maryville road leading from Tellico. From the said spring to the Chillhowie mountain, by a line so to be run, as will leave all the farms on Nine Mile Creek to the northward and eastward of it; and to be continued along Chillhowie mountain, until it strikes Hawkins's Line. Thence along the said line to the great Iron mountain; and

Cession of lands by the Cherokees.

from the top of which a line to be continued in a southwardly course to where the most southwardly branch of Little river crosses the divisional line to Tugalo river: from the place of beginning, the Wildeat Rock, down the northeast margin of the Tennessee river (not including islands) to a point or place one mile above the junction of that river with the Clinch, and from thence by a line to be drawn in a right angle, until it intersects Hawkins's line leading from Clinch. Thence down the said line to the river Clinch; thence up the said river to its junction with Emmery's river; and thence up Emmery's river to the foot of Cumberland mountain. From thence a line to be drawn, northeastwardly, along the foot of the mountain, until it intersects with Campbell's line.

Two commissioners to be appointed to run and mark the line of ceded lands.

Art. 5. To prevent all future misunderstanding about the line described in the foregoing article, two commissioners shall be appointed to superintend the running and marking the same, where not ascertained by the rivers, immediately after signing this treaty; one to be appointed by the commissioners of the United States, and the other by the Cherokee nation; and who shall cause three maps or charts thereof to be made out; one whereof shall be transmitted and deposited in the war office of the United States; another with the executive of the state of Tennessee, and the third with the Cherokee nation, which said line shall form a part of the boundary between the United States and the Cherokee nation.

The United States to deliver goods, &c. to the amount of \$5,000. Additional annuity of \$1,000.

Art. 6. In consideration of the relinquishment and cession hereby made, the United States, upon signing the present treaty, shall cause to be delivered to the Cherokees, goods, wares, and merchandise, to the amount of five thousand dollars, and shall cause to be delivered, annually, other goods, to the amount of one thousand dollars, in addition to the annuity already provided for;* and will continue the guarantee of the remainder of their country forever, as made and contained in former treaties.

The Kentucky road to be open and free, &c.

Art. 7. The Cherokee nation agree, that the Kentucky road, running between the Cumberland mountain and the Cumberland river, where the same shall pass through the Indian land, shall be an open and free road for the use of the citizens of the United States, in the like manner as the road from Southwest Point to Cumberland river. In consideration of which it is hereby agreed on the part of the United States, that until settlements shall make it improper, the Cherokee hunters shall be at liberty to hunt and take game upon the lands relinquished and ceded by this treaty.

The Cherokees may hunt on the lands relinquished until settled.

* By the 3d article of the treaty of Philadelphia, (ante, No. 3, of this chapter,) the United States agree to furnish the Cherokee Indians with goods suitable for their use, to the amount of \$5,000 yearly, in lieu of all former sums to be paid annually. This addition of \$1,000 per annum, makes the annuity, on the 2d of October, 1798, \$6,000 in the whole.

Art. 8. Due notice shall be given to the principal towns of the Cherokees, of the time proposed for delivering the annual stipends; and sufficient supplies of provisions shall be furnished, by and at the expense of the United States, to subsist such reasonable number that may be sent, or shall attend to receive them, during a reasonable time. Notice to the Cherokees of the time for delivering annual stipends.

Art. 9. It is mutually agreed between the parties, that horses stolen and not returned within ninety days, shall be paid for at the rate of sixty dollars each; if stolen by a white man, citizen of the United States, the Indian proprietor shall be paid in cash; and if stolen by an Indian from a citizen, to be deducted as expressed in the fourth article of the treaty of Philadelphia.* This article shall have retrospect to the commencement of the first conferences at this place in the present year, and no further. And all animosities, aggressions, thefts, and plunderings, prior to that day, shall cease, and be no longer remembered or demanded on either side. Stolen horses, not returned in ninety days, to be paid for. Oblivion of animosities.

Art. 10. The Cherokee nation agree, that the agent who shall be appointed to reside among them from time to time, shall have a sufficient piece of ground allotted for his temporary use. Ground allowed for an agent.

And lastly, this treaty, and the several articles it contains, shall be considered as additional to, and forming a part of, treaties already subsisting between the United States and the Cherokee nation, and shall be carried into effect on both sides, with all good faith, as soon as the same shall be approved and ratified by the president of the United States, and the senate thereof. The articles of this treaty additional to those already subsisting.

In witness of all and every thing herein determined between the United States of America, and the whole Cherokee nation, the parties hereunto set their hands and seals in the council house, near Tellico, on Cherokee ground, and within the United States, this second day of October, in the year one thousand seven hundred and ninety-eight, and in the twenty-third year of the independence and sovereignty of the United States.

Thos. Butler,	l. s.
Geo. Walton,	l. s.
Nenetuah, or Bloody Fellow, his x mark,	l. s.
Ostaiah, his x mark,	l. s.
Jaune, or John, his x mark,	l. s.
Oortlokecteh, his x mark,	l. s.
Chockonnistaller, or Stallion, his x mark,	l. s.
Noothoietah, his x mark,	l. s.
Kunnateelah, or Rising Fawn, his x mark,	l. s.
Utturah, or Skin Worm, his x mark,	l. s.
Weelee, or Will, his x mark,	l. s.
Oolasoteh, his x mark,	l. s.
Tlorene, his x mark,	l. s.
Jonnurteekee, or Little John,	l. s.

* See ante, No. 3, of this chapter.

Oonatakotechee, his x mark,	l. s.
Kanowsurkee, or Broom, his x mark,	l. s.
Yonah Oolah, Bear at Home, his x mark,	l. s.
Tunksalence, or Thick Legs, his x mark,	l. s.
Oorkullaukee, his x mark,	l. s.
Kumamah, or Butterfly, his x mark,	l. s.
Chattakutechee, his x mark,	l. s.
Kanitta, or Little Turkey, his x mark,	l. s.
Kettegiskie, his x mark,	l. s.
Tauquotihee, or the Glass, his x mark,	l. s.
Chuquilatague, his x mark,	l. s.
Salleekookoolah, his x mark,	l. s.
Tallotuskee, his x mark,	l. s.
Chellokee, his x mark,	l. s.
Tuskeegatee, or Long Fellow, his x mark,	l. s.
Neekaanneah, or Woman Holder, his x mark,	l. s.
Kulsatechee, his x mark,	l. s.
Keetakeuskah, or Prince, his x mark,	l. s.
Charley, his x mark,	l. s.
Akooh, his x mark,	l. s.
Sawanookeh, his x mark,	l. s.
Yonahequah, or Big Bear, his x mark,	l. s.
Keenahkunnah, his x mark,	l. s.
Kaweesoolaskee, his x mark,	l. s.
Teekakalohenah, his x mark,	l. s.
Ookousetech, or John Taylor, his x mark,	l. s.
Chochuchee, his x mark,	l. s.

Witnesses.

Elisha I. Hall, <i>secretary of the commission,</i>	l. s.
Silas Dinsmoor, <i>1. agent to the Cherokees,</i>	l. s.
John W. Hooker, <i>U. S. factor,</i>	l. s.
Edw. Butler, <i>capt. commanding at Tellico,</i>	l. s.
Robert Purdy, <i>lieut. 4th U. S. regt.</i>	l. s.
Ludwell Grymes,	l. s.
Jno. McDonald,	l. s.
Daniel Ross,	l. s.
Mattw. Wallace, esquire,	l. s.
Saml. Hanly,	l. s.
Michael McKinsey,	l. s.
Chs. Hicks, <i>interpreter,</i>	l. s.
James Cuzey, <i>interpreter,</i>	l. s.
John Thompson,	l. s.

Treaty with the Cherokees, 1804. No. 5. Articles of a treaty between the United States of America and the Cherokee Indians.

Agree to the following articles.

Daniel Smith and Return J. Meigs, being commissioned by Thomas Jefferson, President of the United States, with powers of acting in behalf of the said United States, in arranging certain matters with the Cherokee nation of Indians; and the underwritten principal chiefs, representing the said nation, having met the said commissioners in a conference at Tellico, and having taken into their consideration certain propositions made to them by the said commissioners of the United States; the parties aforesaid, have unanimously agreed and stipulated, as is definitely expressed in the following articles:

Art. 1. For the considerations hereinafter expressed, the Cherokee nation relinquish and cede to the United States, a tract of land bounding, southerly, on the boundary line between the state of Georgia, and the said Cherokee nation, beginning at a point on the said boundary line northeasterly of the most northeast plantation in the settlement known by the name of Wafford's settlement, and running at right angles with the said boundary line four miles in the Cherokee lands; thence at right angles southwesterly and parallel to the first mentioned boundary line, so far as that a line, to be run at right angles southerly to the said first mentioned boundary line, shall include, in this cession, all the plantations in Wafford's settlement, so called, as aforesaid.

A tract of land
ceded to the
U. States.

Art. 2. For, and in consideration of, the relinquishment and cession, as expressed in the first article, the United States, upon signing the present treaty, shall cause to be delivered to the Cherokees, useful goods, wares, and merchandise, to the amount of five thousand dollars, or that sum in money, at the option (timely signified) of the Cherokees, and shall, also, cause to be delivered, annually, to them, other useful goods to the amount of one thousand dollars, or money to that amount, at the option of the Cherokees, timely notice thereof being given, in addition to the annuity, heretofore stipulated, and to be delivered at the usual time of their receiving their annuity.

Useful goods,
&c. to the
amount of
\$5,000 to be
paid them as
an annuity.

In witness of all and every thing, herein determined, between the United States and the Cherokee nation, the parties have hereunto set their hands and seals, in the garrison of Tellico, on Cherokee ground, within the United States, this twenty-fourth day of October, in the year one thousand eight hundred and four, and in the twenty-ninth year of the independence and sovereignty of the United States.

Daniel Smith,
Return J. Meigs,
Molluntuskie, his x mark,
Broom, his x mark,
John McLamore, his x mark,
Quotequeskee, his x mark,
Path Killer, his x mark,
Tagustiskee, his x mark,
Tulio, his x mark,
Sour Mush, his x mark,
Keatehee, his x mark,
James Vann.

Witnesses :

Rob. Purdy, *secretary*,
John McKee,
Jno. Campbell, *cap. 2d U. States' regt. commanding*,
John Brahan, *lieut. 2d reg't. Infantry*,
Thos. J. Van Dyke, *surgeon's mate*,

Wm. Charp,
Hinchey Pettway,
Wm. L. Lovely, *ass't ag't*,
Ch. Hicks, *interpreter*.

Treaty with
the Chero-
kees.

No. 6. Articles of a treaty agreed upon between the United States of America, by their commissioners Return J. Meigs and Daniel Smith, appointed to hold conferences with the Cherokee Indians, for the purpose of arranging certain interesting matters with the said Cherokees, of the one part, and the undersigned chiefs and head men of the said nation, of the other part.

Former trea-
ties recogni-
zed.

Art. 1. All former treaties, which provide for the maintenance of peace and preventing of crimes, are, on this occasion, recognized and continued in force.

The Chero-
kees quit
claim, &c. to
certain lands,
lying north of
the boundary
line here de-
scribed.

Art. 2. The Cherokees quit claim and cede to the United States, all the land which they have heretofore claimed, lying to the north of the following boundary line: beginning at the mouth of Duck river, running thence up the main stream of the same to the junction of the fork, at the head of which fort Nash stood, with the main south fork: thence a direct course to a point on the Tennessee river bank opposite the mouth of Hiwassee river. If the line from Hiwassee should leave out Field's settlement, it is to be marked round this improvement, and then continued the stright course; thence up the middle of the Tennessee river, (but leaving all the islands to the Cherokees,) to the mouth of Clinch river; thence up the Clinch river to the former boundary line agreed upon with the said Cherokees, reserving, at the same time, to the use of the Cherokees, a small tract lying at and below the mouth of Clinch river; from the mouth extending thence down the Tennessee river, from the mouth of Clinch to a notable rock on the north bank of the Tennessee, in view from Southwest Point; thence a course at right angles with the river, to the Cumberland road; thence eastwardly along the same, to the bank of Clinch river, so as to secure the ferry landing to the Cherokees up to the first hill, and down the same to the mouth thereof, together with two other sections of one square mile each, one of which is at the foot of Cumberland mountain, at and near the place where the turnpike gate now stands; the other on the north bank of the Tennessee river, where the Cherokee Talootiske now lives. And whereas, from the present cession made by the Cherokees, and other circumstances, the site of the garrisons at Southwest Point and Tellico, are become not the most convenient and suitable places for the accommodation of the said Indians, it may become expedient to remove the said garrisons and factory to some more suitable place; three other square miles are reserved for the particular disposal of the United States on the north bank of the Tennessee, opposite to and below the mouth of Hiwassee.

Islands in
Tennessee
river, &c.

Reservation to
the Chero-
kees.

Ferry landing
to the Chero-
kees, &c.

Removal of
garrisons and
factory, &c.

Art. 3. In consideration of the above cession and relinquishment, the United States agree to pay immediately three thousand dollars in valuable merchandise, and eleven thousand dollars within ninety days after the ratification of this treaty, and also an annuity of three thousand dollars, the commencement of which is this day. But so much of the said eleven thousand dollars, as the said Cherokees may agree to accept in useful articles of, and machines for, agriculture and manufactures, shall be paid in those articles, at their option.

The United States to pay \$14,000; and an annuity of \$3,000.

Implements of agriculture, &c.

Free use of two described roads, &c.

Art. 4. The citizens of the United States shall have the free and unmolested use and enjoyment of the two following described roads, in addition to those which are at present established through their country; one to proceed from some convenient place near the head of Stone's river, and fall into the Georgia road at a suitable place towards the southern frontier of the Cherokees. The other to proceed from the neighborhood of Franklin, or Big Harpath, and crossing the Tennessee at or near the Muscle Shoals, to pursue the nearest and best way to the settlements on the Tombigbee. These roads shall be viewed and marked out by men appointed on each side for that purpose; in order that they may be directed the nearest and best ways, and the time of doing the business, the Cherokees shall be duly notified.

The roads to be viewed and marked out.

Art. 5. This treaty shall take effect and be obligatory on the contracting parties, as soon as it is ratified by the president of the United States, by and with the advice and consent of the senate of the same.

This treaty to be obligatory as soon as ratified.

In testimony whereof, the said commissioners, and the undersigned chiefs and head men of the Cherokees, have hereto set their hands and seals.

Done at Tellico, the twenty-fifth day of October, one thousand eight hundred and five.

Return J. Meigs,	l. s.
Daniel Smith,	l. s.
Fox, or Ennolee, his x mark,	l. s.
Path Killer, or Nenohuttahe, his x mark,	l. s.
Glass, or Tauquatehee, his x mark,	l. s.
Double Head, or Chuqualutauge, his x mark,	l. s.
Dick Justice, his x mark,	l. s.
Tounhull, or Toonayeh, his x mark,	l. s.
Turtle at Home, or Sullicoahwolu, his x mark,	l. s.
Chenawee, his x mark,	l. s.
Slave Boy, or Oosauabee, his x mark,	l. s.
Tallotiskee, his x mark,	l. s.
Broom, or Cunaweeso-kee, his x mark,	l. s.
John Greenwood, or Sour Mush, his x mark,	l. s.
Chulioah, his x mark,	l. s.
Katigiskee, his x mark,	l. s.
William Shawry, or Eskaculiskee, his x mark,	l. s.
Taochalar, his x mark,	l. s.
James Davis, or Coowusaliskee, his x mark,	l. s.

John Jolly, or Eulatakee, his x mark,	l. s.
Bark, or Eullooka, his x mark,	l. s.
John McLemore, or John Euskulacau, his x mark,	l. s.
Big Bear, or Yohanaqua, his x mark,	l. s.
Dreadfulwater, or Aumaudoskee, his x mark,	l. s.
Challaugittihee, his x mark,	l. s.
Calliliskee, or Knife Sheath, his x mark,	l. s.
Closence, his x mark,	l. s.
Challow, or Kingfisher, his x mark,	l. s.
John Watts, jun. his x mark,	l. s.
Sharp Arrow, or Costarauh, his x mark,	l. s.
John Dougherty, or Long John, his x mark,	l. s.
Tuckasee, or Terrapin, his x mark,	l. s.
Tuskegittihee, or Long Fellow, his x mark,	l. s.
Tochuwor, or Red Bird, his x mark,	l. s.
Catihee, or Badgerson, his x mark,	l. s.

Witnesses :

Rob. Purdy, *secretary to the commissioners*,
W. Yates, *lt. 3 U. S. arts.*
Wm. L. Lovely, *assistant agent*,
Nicholas Byers, *United States' factor*,
Go. W. Campbell,
Will. Polk,
James Blair,
Jno. Smith, T.
Thomas N. Clark,
Chs. Hicks, *interpreter*.

Treaty with
the Chero-
kees.

No. 7. Articles of a treaty between the United States of America, by their commissioners, Return J. Meigs and Daniel Smith, who are appointed to hold conferences with the Cherokees, for the purpose of arranging certain interesting matters with the said Indians, of the one part, and the undersigned chiefs and head men of the Cherokees, of the other part.

The land on
which the gar-
rison of South-
west Point
stands, ceded
to the United
States for the
use of Ten-
nessee.

Art. 1. Whereas it has been represented by the one party to the other, that the section of land on which the garrison of Southwest Point stands, and which extends to Kingston, is likely to be a desirable place for the assembly of the state of Tennessee to convene at, (a committee from that body now in session having viewed the situation,) now, the Cherokees being possessed of a spirit of conciliation, and seeing that this tract is desired for public purposes, and not for individual advantages, reserving the ferries to themselves, quit claim, and cede to the United States the said section of land, understanding, at the same time, that the buildings erected by the public are to belong to the public, as well as the occupation of the same, during the pleasure of the government; we also cede to the United States the first island in the Tennessee, above the mouth of Clinch.

Ferries re-
served to the
Cherokees.

Cession of an
island in the
Tennessee.

Free use of a
mail road from
Tellico to
Tombigbee,
which is to be
laid out, &c.

Art. 2. And whereas the mail of the United States is ordered to be carried from Knoxville to New Orleans, through the Cherokee, Creek, and Choctaw countries; the Cherokees agree, that the citizens of the United States shall have, so far

as it goes through their country, the free and unmolested use of a road leading from Tellico to Tombigbee, to be laid out by viewers appointed on both sides, who shall direct it the nearest and best way; and the time of doing the business the Cherokees shall be notified of.

Art. 3. In consideration of the above cession and relinquishment, the United States agree to pay to the said Cherokee Indians, sixteen hundred dollars in money, or useful merchandise, at their option, within ninety days after the ratification of this treaty. The United States to pay \$1,600 in money or merchandise.

Art. 4. This treaty shall be obligatory between the contracting parties, as soon as it is ratified by the president, by and with the advice and consent of the senate of the United States. This treaty to be binding as soon as ratified.

In testimony whereof, the said commissioners, and the undersigned chiefs and head men of the Cherokees, have hereto set their hands and seals.

Done at Tellico, this twenty-seventh day of October, in the year of our Lord one thousand eight hundred and five.

Return J. Meigs,	l. s.
Danl. Smith,	l. s.
Black Fox, or Ennone, his x mark,	l. s.
The Glass, or Tunnquetihee, his x mark,	l. s.
Kutigeeskee, his x mark,	l. s.
Toochalar, his x mark,	l. s.
Turtle at Home, or Sullicookiewalar, his x mark,	l. s.
Dick Justice, his x mark,	l. s.
John Greenwood, or Eakosettas, his x mark,	l. s.
Chulevah, or Gentleman Tom, his x mark,	l. s.
Broom, or Cannarwesoske, his x mark,	l. s.
Bald Hunter, or Toowayullau, his x mark,	l. s.
John Melamere, or Euquellooka, his x mark,	l. s.
Closenie, or Creeping, his x mark,	l. s.
Double Head, or Chuquacuttague, his x mark,	l. s.
Chicasawtlihee, Checasaw tihue Killer, his x mark,	l. s.

Witnesses :

Robert Purdy, *secretary to the commissioners,*
 William Yates, *D. Comm'y,*
 Nicholas Byers, *United States' factor,*
 Wm. Lovely, *assistant agent,*
 B. V'Ghee,
 Saml. Love,
 James Blair,
 Hopkins Lacey,
 Chs. Hicks, *interpreter.*

No. 8. Articles of a convention made between Henry Dearborn, secretary of Convention war, being specially authorized thereto by the president of the United with the Cherokee States, and the undersigned chiefs and head men of the Cherokee nation rokees. of Indians, duly authorized and empowered by said nation.

Art. 1. The undersigned chiefs and head men of the Cherokee nation of Indians, for themselves and in behalf of their nation Relinquishment of claims to

lands north of the Tennessee, &c. tion, relinquish to the United States all right, title, interest, and claim, which they or their nation have or ever had to all that tract of country which lies to the northward of the river Tennessee, and westward of a line to be run from the upper part of the Chickasaw Old Fields, at the upper point of an island, called Chickasaw island, on said river, to the most easterly head waters of that branch of said Tennessee river called Duck river, excepting the two following described tracts, viz. one tract bounded southerly on the said Tennessee river, at a place called the Muscle Shoals, westerly by a creek called Tekeetanoeh, or Cyprus creek, and easterly by Chuwalee, or Elk river, or creek, and northerly by a line to be drawn from a point on said Elk river, ten miles on a direct line from its mouth or junction with Tennessee river, to a point on the said Cyprus creek, ten miles on a direct line from its junction with the Tennessee river.

Exception.
1st reservation.

2d reservation.

Property of the reservations.

Relinquishment of the Long Island.

The United States to pay \$2,000 in money, on ratification:

And \$2,000 in each of the four succeeding years.

Grist mill.

Machine for cleaning cotton.

Annuity of \$100 to Black Fox.

The other tract is to be two miles in width, on the north side of Tennessee river, and to extend northerly from that river three miles, and bounded as follows, viz. beginning at the mouth of Spring creek, and running up said creek three miles on a straight line, thence westerly two miles at right angles, with the general course of said creek, thence southerly on a line parallel with the general course of said creek, to the Tennessee river, thence up said river by its waters to the beginning: which first reserved tract is to be considered the common property of the Cherokees who now live on the same, including John D. Chesholm, Autowwe, and Chechout; and the other reserved tract, on which Moses Melton now lives, is to be considered the property of said Melton and Charles Hicks, in equal shares.

And the said chiefs and head men also agree to relinquish to the United States all right or claim which they or their nation have to what is called the Long Island, in Holston river.

Art. 2. The said Henry Dearborn, on the part of the United States, hereby stipulates and agrees, that in consideration of the relinquishment of title by the Cherokees, as stated in the preceding article, the United States will pay to the Cherokee nation two thousand dollars in money, as soon as this convention shall be duly ratified by the government of the United States; and two thousand dollars in each of the four succeeding years, amounting in the whole to ten thousand dollars; and that a grist-mill shall, within one year from the date hereof, be built in the Cherokee country, for the use of the nation, at such place as shall be considered most convenient; that the said Cherokees shall be furnished with a machine for cleaning cotton; and also, that the old Cherokee chief, called the Black Fox, shall be paid annually one hundred dollars by the United States during his life.

Art. 3. It is also agreed on the part of the United States, that the government thereof, will use its influence and best endeavors to prevail on the Chickasaw nation of Indians, to agree to the following boundary between that nation and the Cherokees, to the southward of the Tennessee river, viz. beginning at the mouth of Caney creek, near the lower part of the Muscle Shoals, and to run up the said creek to its head, and in a direct line from thence to the Flat Stone or Rock, the old corner boundary.

The United States to use its influence with the Chickasaws to agree to the boundary line here described, &c.

But it is understood by the contracting parties, that the United States do not engage to have the aforesaid line or boundary established, but only to endeavor to prevail on the Chickasaw nation to consent to such a line as the boundary between the two nations.

The United States not bound to establish the line, &c.

Art. 4. It is further agreed on the part of the United States, that the claims which the Chickasaws may have to the two tracts reserved by the first article of this convention on the north side of the Tennessee river, shall be settled by the United States in such manner as will be equitable, and will secure to the Cherokees the title to the said reservations.

The United States to quiet the Chickasaw claims to the two tracts reserved by 1st article of this treaty.

Done at the place, and on the day and year first above written.*

Henry Dearborn,	l. s.
Double Head, his x mark,	l. s.
James Vanu, his x mark,	l. s.
Tallotiskee, his x mark,	l. s.
Chulioa, his x mark,	l. s.
Sour Mush, his x mark,	l. s.
Turtle at home, his x mark,	l. s.
Katihuh, his x mark,	l. s.
John M'Lemore, his x mark,	l. s.
Broom, his x mark,	l. s.
John Jolly, his x mark,	l. s.
John Lowry, his x mark,	l. s.
Red Bird, his x mark,	l. s.
John Walker, his x mark,	l. s.
Young Wolf, his x mark,	l. s.
Skeuha, his x mark,	l. s.
Sequechu, his x mark,	l. s.
Wm. Showry, his x mark,	l. s.

In presence of

Return J. Meigs,
Benjamin Hawkins,
Daniel Smith,
John Smith,
Andrew McClary,
John McClary.

* It does not appear by the treaty, that there is any place, day, or year, "first above written:" But the proclamation of the convention, by the president of the United States, declares that it was "concluded at the city of Washington, on the 7th day of January, 1806."

I certify the foregoing convention has been faithfully interpreted.

CHARLES HICKS, *interpreter.*

Declaration of the intention of the parties in relation to the cession of a tract of country by the Cherokees, by the convention of Washington, of the 7th of January, 1806. See ante, No. 7, art. 1, of this chapter.

Eastern boundary of the tract ceded.

The United States to pay the Cherokees \$2,000.

The Cherokees may hunt on the ceded tract, until settled, &c.

[* See ante, No. 7, of this chapter.]

No. 9. Elucidation of the convention of Washington, of the 7th of January, 1806.

Whereas, by the first article of a convention between the United States, and the Cherokee nation, entered into at the city of Washington, on the seventh day of January, one thousand eight hundred and six, it was intended on the part of the Cherokee nation, and so understood by the secretary of war, the commissioner on the part of the United States, to cede to the United States all the right, title, and interest, which the said Cherokee nation ever had to a tract of country contained between the Tennessee river and the Tennessee ridge; (so called;) which tract of country had, since the year one thousand seven hundred and ninety-four, been claimed by the Cherokees and the Chickasaws; the eastern boundary whereof is limited by a line so to be run from the upper part of the Chickasaw Old Fields, as to include all the waters of Elk river, anything expressed in said convention to the contrary notwithstanding. It is therefore now declared, by James Robertson and Return J. Meigs, acting under the authority of the executive of the United States, and by a delegation of Cherokee chiefs, of whom Eunohee, or Black Fox, the king or head chief of said Cherokee nation, acting on the part of and in behalf of said nation, is one, that the eastern limits of said ceded tract shall be bounded by a line so to be run from the upper end of the Chickasaw Old Fields, a little above the upper point of an island, called Chickasaw island, as will most directly intersect the first waters of Elk river, thence carried to the great Cumberland mountain, in which the waters of Elk river have their source, then along the margin of said mountain, until it shall intersect lands heretofore ceded to the United States, at the said Tennessee ridge. And in consideration of the readiness shown by the Cherokees to explain, and to place the limits of the land ceded by the said convention out of all doubt, and in consideration of their expenses in attending council, the executive of the United States will direct that the Cherokee nation shall receive the sum of two thousand dollars, to be paid to them by their agent, at such time as the said executive shall direct, and that the Cherokee hunters, as hath been the custom in such cases, may hunt on said ceded tract, until, by thefulness of settlers, it shall become improper. And it is hereby declared by the parties, that this explanation ought to be considered as a just elucidation of the cession made by the first article of said convention. *

Done at the point of departure of the line at the upper end of the island opposite to the upper part of the said Chickasaw Old Fields, the eleventh day of September, in the year one thousand eight hundred and seven.

James Robertson,
Return J. Meigs,
Eunolee, or Black Fox, his x mark,
Fauquitee, or Glass, his x mark,
Fulaquokoko, or Turtle at home, his x mark,
Richard Brown, his x mark,
Sowolotoh, king's brother, his x mark.

Witnesses present:

Thomas Freeman,
Thomas Orme.

No. 10. Articles of a treaty made and concluded at the city of Washington, on the twenty-second day of March, one thousand eight hundred and sixteen, between George Graham, being specially authorized by the president of the United States thereto, and the undersigned chiefs and head men of the Cherokee nation, duly authorized and empowered by the said nation. Treaty with the Cherokees.

Art. 1. Whereas the executive of the state of South Carolina has made an application to the president of the United States to extinguish the claim of the Cherokee nation, to that part of their lands which lie within the boundaries of the said state, as lately established and agreed upon between that state and the state of North Carolina; and as the Cherokee nation is disposed to comply with the wishes of their brothers of South Carolina, they have agreed and do hereby agree, to cede to the state of South Carolina, and forever quit claim to the tract of country contained within the following bounds, viz: beginning on the east bank of the Chattuga river, where the boundary line of the Cherokee nation crosses the same, running thence with the said boundary line to a rock on the blue ridge, where the boundary line crosses the same, and which rock has been lately established as a corner to the states of North and South Carolina, running thence south, sixty-eight and a quarter degrees, west, twenty miles and thirty-two chains, to a rock on the Chattuga river, at the thirty-fifth degree of north latitude, another corner of the boundaries agreed upon by the states of North and South Carolina, thence down and with the Chattuga to the beginning. S. Carolina desirous to extinguish the Cherokee title within her limits, and Cherokees disposed to comply with her wishes, and agree to make a cession, &c.

Art. 2. For and in consideration of the above cession, the United States promise and engage that the state of South Carolina shall pay to the Cherokee nation, or its accredited agent, the sum of five thousand dollars within ninety days after the president and senate shall have ratified this treaty: *Provided*, that the Cherokee nation shall have sanctioned the same in S. Carolina to pay Cherokees \$5,000 within 90 days after the ratification of this treaty, &c.

council: and provided also that the executive of the state of South Carolina, shall approve of the stipulations contained in this article.

In testimony whereof, the said commissioner, and the undersigned chiefs and head men of the Cherokee nation, have hereto set their hands and seals.

George Graham,	l. s.
Colonel John Lowry, his x mark,	l. s.
Major John Walker, his x mark,	l. s.
Major Ridge, his x mark,	l. s.
Richard Taylor,	l. s.
John Ross,	l. s.
Cheucunsene, his x mark.	l. s.

Witnesses present at signing and sealing:

Return J. Meigs,
Jacob Laub,
Gid. Davis.

Treaty with
the Chero-
kees.

No. 11. Articles of a convention made and entered into between George Graham, specially authorized thereto by the president of the United States, and the undersigned chiefs and head men of the Cherokee nation, duly authorized and empowered by the said nation.

Doubts in relation to the northern boundary of the Creek lands ceded by the treaty of fort Jackson. [Post, chap. 8, No. 5.]

And Cherokee claim recognized to lands south of the big bend of Tennessee river, by 3d art. treaty of 7th Jan. 1806. (Ante, No. 9 of this chap.)

A line is fixed as the boundary of the land ceded by the Creeks, and of the land claimed by the Cherokees.

Free use of
roads to the
U. States

Art. 1. Whereas doubts have existed in relation to the northern boundary of that part of the Creek lands lying west of the Coosa river, and which were ceded to the United States by the treaty held at fort Jackson, on the ninth day of August, one thousand eight hundred and fourteen; and whereas by the third article of the treaty, dated the seventh of January, one thousand eight hundred and six, between the United States and the Cherokee nation, the United States have recognized a claim on the part of the Cherokee nation to the lands south of the big bend of the Tennessee river, and extending as far west as a place on the waters of Bear creek, [a branch of the Tennessee river] known by the name of the Flat Rock, or stone: it is, therefore, now declared and agreed, that a line shall be run from a point on the west bank of the Coosa river, opposite to the lower end of the ten islands in said river, and above fort Strother, directly to the Flat Rock or stone, on Bear Creek, [a branch of the Tennessee river:] which line shall be established as the boundary of the lands ceded by the Creek nation to the United States by the treaty held at fort Jackson on the ninth day of August, one thousand eight hundred and fourteen, and of the lands claimed by the Cherokee nation, lying west of the Coosa and south of the Tennessee rivers.

Art. 2. It is expressly agreed, on the part of the Cherokee nation, that the United States shall have the right to lay off,

open and have the free use of such road or roads, through any part of the Cherokee nation, lying north of the boundary line now established, as may be deemed necessary for the free intercourse between the states of Tennessee and Georgia, and the Mississippi territory. And the citizens of the United States shall freely navigate and use, as a highway, all the rivers and waters within the Cherokee nation. The Cherokee nation further agree, to establish and keep up, on the roads to be opened under the sanction of this article, such ferries and public houses as may be necessary for the accommodation of the citizens of the United States.

through the Cherokee nation; also of rivers, &c.

Cherokees to keep up ferries and public houses.

Art. 3. In order to preclude any dispute hereafter, relative to the boundary line now established, it is hereby agreed that the Cherokee nation shall appoint two commissioners to accompany the commissioners already appointed on the part of the United States, to run the boundary lines of the lands ceded by the Creek nation to the United States, while they are engaged in running that part of the boundary established by the first article of this treaty.

Cherokees to appoint commissioners to attend the survey of the boundary line.

Art. 4. In order to avoid unnecessary expense and delay, it is further agreed, that whenever the president of the United States may deem it expedient to open a road through any part of the Cherokee nation, in pursuance of the stipulations of the second article of this convention, the principal chief of the Cherokee nation, shall appoint one commissioner to accompany the commissioners appointed by the president of the United States, to lay off and mark the road; and the said commissioner shall be paid by the United States.

Also to appoint one commissioner to attend the marking the road, &c. to be paid by the U. S.

Art. 5. The United States agree to indemnify the individuals of the Cherokee nation for losses sustained by them in consequence of the march of the militia and other troops in the service of the United States, through that nation; which losses have been ascertained by the agents of the United States to amount to twenty-five thousand five hundred dollars.

U. States to pay for losses by militia, &c. ascertained to amount to \$25,500.

In testimony whereof, the said commissioner and the undersigned chiefs and head men of the Cherokee nation, have hereunto set their hands and seals. Done at the city of Washington, this twenty-second day of March, one thousand eight hundred and sixteen.

George Graham,	1. s.
Colonel John Lowry, his x mark,	1. s.
Major John Walker, his x mark,	1. s.
Major Ridge, his x mark,	1. s.
Richard Taylor,	1. s.
John Ross,	1. s.
Cheucunsene, his x mark.	1. s.

Witnesses present at signing and sealing :

Return J. Meigs,
Jacob Lath,
Gid. Davis.

Treaty with
the Chero-
kees.

No. 12. To perpetuate peace and friendship between the United States and Cherokee tribe or nation of Indians, and to remove all future causes of dissension which may arise from indefinite territorial boundaries, the president of the United States of America, by major-general Andrew Jackson, general David Meriwether, and Jesse Franklin, esquire, commissioners plenipotentiary on the one part, and the Cherokee delegates on the other, covenant and agree to the following articles and conditions, which, when approved by the Cherokee nation, and constitutionally ratified by the government of the United States, shall be binding on all parties:

Peace and
friendship es-
tablished.

Art. 1. Peace and friendship are hereby firmly established between the United States and Cherokee nation or tribe of Indians.

Western
boundary of
the Cherokee
nation.

Art. 2. The Cherokee nation acknowledge the following as their western boundary: South of the Tennessee river, commencing at Camp Coffee, on the south side of the Tennessee river, which is opposite the Chickasaw Island, running from thence a due south course to the top of the dividing ridge between the waters of the Tennessee and Tombigbee rivers, thence eastwardly along said ridge, leaving the head waters of the Black Warrior to the right hand, until opposed by the west branch of Will's creek, down the east bank of said creek to the Coosa river, and down said river.

Cede to U. S.
lands south
and west of
said boundary,
for an annuity
of \$6,000, for
ten years, and
\$5,000 for im-
provements.

Art. 3. The Cherokee nation relinquish to the United States all claim, and cede all title to lands laying south and west of the line, as described in the second article; and, in consideration of said relinquishment and cession, the commissioners agree to allow the Cherokee nation an annuity of six thousand dollars, to continue for ten successive years, and five thousand dollars, to be paid in sixty days after the ratification of the treaty, as a compensation for any improvements which the said nation may have had on the lands surrendered.

Line to be
marked by
commissioners
who are to be
attended by
two persons of
the Cherokee
nation.

Art. 4. The two contracting parties covenant and agree, that the line, as described in the second article, shall be ascertained and marked by commissioners, to be appointed by the president of the United States; that the marks shall be bold; trees to be blazed on both sides of the line, and the fore and aft trees to be marked with the letters U. S.; that the commissioners shall be accompanied by two persons, to be appointed by the Cherokee nation, and that said nation shall have due and seasonable notice when said operation is to be commenced.

Cherokee na-
tion to meet at
Turkey Town
to ratify this
treaty; if they
do not, treaty
to be reputed
as ratified.

Art. 5. It is stipulated that the Cherokee nation will meet general Andrew Jackson, general David Meriwether, and Jesse Franklin, esquire, in council, at Turkey's Town, Coosa river, on the 28th of September, instant, there and then to express their approbation, or not, of the articles of this treaty; and if they do not assemble at the time and place specified, it is understood that the said commissioners may report the same as a tacit ratification, on the part of the Cherokee nation, of this treaty.

In testimony whereof, the said commissioners and undersigned chiefs and delegates of the Cherokee nation, have hereto set their hands and seals. Done at the Chickasaw council house, this fourteenth day of September, in the year of our Lord one thousand eight hundred and sixteen.

Andrew Jackson,
D. Meriwether,
J. Franklin,
Toochalar,
Oohulooke,
Wosey,
Gousa,
Spring Frog,
Oowatata,
John Beuge,
John Bawldridge,
Sallocooke Fields,
George Guess,
Bark,
Campbell,
Spirit,
Young Wolf,
Oolitiskee.

Witness.

James Gadsden, *secretary to the commissioners,*
Arthur P. Hayne, *inspector general, division of the south,*
James C. Bronaugh, *hospital surgeon, United States army,*
John Gordon,
John Rhea,
Thomas Wilson, *interpreter for the Cherokees,*
A. McCoy, *do.*

Ratified at Turkey Town, by the whole Cherokee nation, in council assembled. In testimony whereof, the subscribing commissioners of the United States, and the undersigned chiefs and warriors of the Cherokee nation, have hereto set their hands and seals, this fourth day of October, in the year of our Lord one thousand eight hundred and sixteen.

Foregoing
treaty ratified
by the Chero-
kee nation, as
provided for in
the 5th article.

Andrew Jackson,
D. Meriwether,
Path Killer, his x mark,
The Glass, his x mark,
Sour Mush, his x mark,
Chulioa, his x mark,
Dick Justice, his x mark,
Richard Brown, his x mark,
Bark, his x mark,
The Boot, his x mark,
Chickasawlua, his x mark.

Witness.

James Gadsden, *secretary,*
Return J. Meigs,
Richard Taylor, *interpreter,*
A. McCoy, *interpreter.*

Treaty with the Cherokees. Cherokee Agency, 8th July, 1817.

No. 13. Articles of a treaty concluded, at the Cherokee Agency, within the Cherokee nation, between major-general Andrew Jackson, Joseph M'Minn, governor of the state of Tennessee, and general David Meriwether, commissioners plenipotentiary of the United States of America, of the one part, and the chiefs, head men, and warriors, of the Cherokee nation, east of the Mississippi river, and the chiefs, head men, and warriors, of the Cherokees on the Arkansas river, and their deputies, John D. Chisholm and James Rodgers, duly authorized by the chiefs of the Cherokees on the Arkansas river, in open council, by written power of attorney, duly signed and executed, in presence of Joseph Sevier and William Ware.

Visit of a deputation of Cherokees to Washington in 1808.

Part of the Cherokees anxious to engage in agriculture and the pursuits of civilized life.

Another portion desirous of continuing the hunter life, and, with that view, to remove across the Mississippi, &c.

The United States willing to satisfy the wishes of both parties, and will exchange lands, &c.

Whereas in the autumn of the year one thousand eight hundred and eight, a deputation from the Upper and Lower Cherokee towns, duly authorized by their nation, went on to the city of Washington, the first named to declare to the president of the United States their anxious desire to engage in the pursuits of agriculture and civilized life, in the country they then occupied, and to make known to the president of the United States the impracticability of inducing the nation at large to do this, and to request the establishment of a division line between the upper and lower towns, so as to include all the waters of the Hiwassee river to the upper town, that, by thus contracting their society within narrow limits, they proposed to begin the establishment of fixed laws and a regular government: The deputies from the lower towns to make known their desire to continue the hunter life, and also the scarcity of game where they then lived, and, under those circumstances, their wish to remove across the Mississippi river, on some vacant lands of the United States. And whereas the president of the United States, after maturely considering the petitions of both parties, on the ninth day of January, A. D. one thousand eight hundred and nine, including other subjects, answered those petitions as follows: "The United States, my children, are the friends of both parties, and, as far as can be reasonably asked, they are willing to satisfy the wishes of both. Those who remain may be assured of our patronage, our aid, and good neighborhood. Those who wish to remove, are permitted to send an exploring party to reconnoitre the country on the waters of the Arkansas and White rivers, and the higher up the better, as they will be the longer unapproached by our settlements, which will begin at the mouths of those rivers. The regular districts of the government of St. Louis are already laid off to the St. Francis.

"When this party shall have found a tract of country suiting the emigrants, and not claimed by other Indians, we will arrange with them and you the exchange of that for a just portion of the country they leave, and to a part of which, proportioned to their numbers, they have a right. Every aid towards their removal, and what will be necessary for them there, will then be freely administered to them; and when established in their new settlements, we shall still consider them

as our children, give them the benefit of exchanging their peltries for what they will want at our factories, and always hold them firmly by the hand."

And whereas the Cherokees, relying on the promises of the president of the United States, as above recited, did explore the country on the west side of the Mississippi, and made choice of the country on the Arkansas and White rivers, and settled themselves down upon the United States' lands, to which no other tribe of Indians have any just claim, and have duly notified the president of the United States thereof, and of their anxious desire for the full and complete ratification of his promise, and, to that end, as notified by the president of the United States, have sent on their agents, with full powers to execute a treaty, relinquishing to the United States all the right, title, and interest, to all lands of right to them belonging, as part of the Cherokee nation, which they have left, and which they are about to leave, proportioned to their numbers, including, with those now on the Arkansas, those who are about to remove thither, and to a portion of which they have an equal right agreeably to their numbers.

The Cherokees of the hunter life, made choice of the country on the Arkansas and White rivers.

Now, know ye, that the contracting parties, to carry into full effect the before recited promises with good faith, and to promote a continuation of friendship with their brothers on the Arkansas river, and for that purpose to make an equal distribution of the annuities secured to be paid by the United States to the whole Cherokee nation, have agreed and concluded on the following articles, viz:

Art. 1. The chiefs, head men, and warriors, of the whole Cherokee nation, cede to the United States all the lands lying north and east of the following boundaries, viz: beginning at the high shoals of the Appalachy river, and running thence, along the boundary line between the Creek and Cherokee nations, westwardly to the Chatahouchy river; thence, up the Chatahouchy river, to the mouth of Souque creek; thence, continuing with the general course of the river until it reaches the Indian boundary line, and, should it strike the Turrur river, thence, with its meanders, down said river to its mouth, in part of the proportion of land in the Cherokee nation east of the Mississippi, to which those now on the Arkansas and those about to remove there are justly entitled.

Cession of land to the United States east of the Mississippi, in exchange of lands occupied by the Cherokees who have removed west of that river.

Art. 2. The chiefs, head men, and warriors, of the whole Cherokee nation, do also cede to the United States all the lands lying north and west of the following boundary lines, viz: Beginning at the Indian boundary line that runs from the north bank of the Tennessee river, opposite to the mouth of Hywassee river, at a point on the top of Walden's ridge, where it divides the waters of the Tennessee river from those of the Sequatchie river; thence, along the said ridge, southwardly,

Further cession of lands.

to the bank of the Tennessee river, at a point near to a place called the Negro Sugar Camp, opposite to the upper end of the first island above Running Water Town ; thence, westwardly, a straight line to the mouth of Little Sequatchie river ; thence, up said river, to its main fork ; thence, up its northernmost fork, to its source ; and thence, due west, to the Indian boundary line.

A census to be taken, in June, 1818, of the Cherokee nation, by commissioners, to be appointed by each party.

Art. 3. It is also stipulated by the contracting parties, that a census shall be taken of the whole Cherokee nation, during the month of June, in the year of our Lord one thousand eight hundred and eighteen, in the following manner, viz : That the census of those on the east side of the Mississippi river, who declare their intention of removing, shall be taken by a commissioner appointed by the president of the United States, and a commissioner appointed by the Cherokees on the Arkansas river ; and the census of the Cherokees on the Arkansas river, and those removing there, and who, at that time, declare their intention of removing there, shall be taken by a commissioner appointed by the president of the United States, and one appointed by the Cherokees east of the Mississippi river.

Annuity from the United States to be divided between the two portions of the Cherokees according to numbers, &c.

Art. 4. The contracting parties do also stipulate that the annuity due from the United States to the whole Cherokee nation for the year one thousand eight hundred and eighteen, is to be divided between the two parts of the nation in proportion to their numbers, agreeably to the stipulations contained in the third article of this treaty ; and to be continued to be divided thereafter in proportion to their numbers ; and the lands to be apportioned and surrendered to the United States agreeably to the aforesaid enumeration, as the proportionate part, agreeably to their numbers, to which those who have removed, and who declare their intention to remove, have a just right, including these with the lands ceded in the first and second articles of this treaty.

The United States to give as much land on the Arkansas and White rivers as they receive from the Cherokees east of the Mississippi.

Art. 5. The United States bind themselves, in exchange for the lands ceded in the first and second articles hereof, to give to that part of the Cherokee nation on the Arkansas as much land on said river and White river as they have or may hereafter receive from the Cherokee nation east of the Mississippi, acre for acre, as the just proportion due that part of the nation on the Arkansas agreeably to their numbers ; which is to commence on the north side of the Arkansas river, at the mouth of Point Remove or Budwell's Old Place ; thence, by a straight line, northwardly, to strike Chataunga mountain, or the hill first above Shield's Ferry on White river, running up and between said rivers for complement, the banks of which rivers to be the lines ; and to have the above line, from the point of beginning to the point on White river, run and marked, which shall be done soon after the ratification of this treaty ;

Line to be run and marked, and citizens to be removed, except Mrs. Lovely.

and all citizens of the United States, except Mrs. P. Lovely, who is to remain where she lives during life, removed from within the bounds as above named. And it is further stipulated, that the treaties heretofore between the Cherokee nation and the United States are to continue in full force with both parts of the nation, and both parts thereof entitled to all the immunities and privileges which the old nation enjoyed under the aforesaid treaties; the United States reserving the right of establishing factories, a military post, and roads, within the boundaries above defined.

Former treaties in force with both parts of the Cherokees. (Preceding numbers of this chapter.) Right of establishing factories.

Art. 6. The United States do also bind themselves to give to all the poor warriors who may remove to the western side of the Mississippi river, one rifle gun and ammunition, one blanket, and one brass kettle, or, in lieu of the brass kettle, a beaver trap, which is to be considered as a full compensation for the improvements which they may leave; which articles are to be delivered at such point as the president of the United States may direct: and to aid in the removal of the emigrants, they further agree to furnish flat bottomed boats and provisions sufficient for that purpose: and to those emigrants whose improvements add real value to their lands, the United States agree to pay a full valuation for the same, which is to be ascertained by a commissioner appointed by the president of the United States for that purpose, and paid for as soon after the ratification of this treaty as practicable. The boats and provisions promised to the emigrants are to be furnished by the agent on the Tennessee river, at such time and place as the emigrants may notify him of; and it shall be his duty to furnish the same.

Rifle guns, ammunition, blankets, &c. as compensation for Cherokee improvements.

Boats and provisions.

Full compensation for improvements of real value.

Art. 7. And for all improvements which add real value to the lands lying within the boundaries ceded to the United States, by the first and second articles of this treaty, the United States do agree to pay for at the time, and to be valued in the same manner, as stipulated in the sixth article of this treaty; or in lieu thereof, to give in exchange improvements of equal value which the emigrants may leave, and for which they are to receive pay. And it is farther stipulated, that all these improvements, left by the emigrants within the bounds of the Cherokee nation east of the Mississippi river, which add real value to the lands, and for which the United States shall give a consideration, and not so exchanged, shall be rented to the Indians by the agent, year after year, for the benefit of the poor and decrepit of that part of the nation east of the Mississippi river, until surrendered by the nation, or to the nation. And it is further agreed, that the said Cherokee nation shall not be called upon for any part of the consideration paid for said improvements at any future period.

Stipulations concerning payment for improvements which add real value to ceded lands.

Art. 8. And to each and every head of any Indian family residing on the east side of the Mississippi river, on the lands

Heads of Indian families

residing east of the Mississippi, desirous of becoming citizens, to enjoy a reservation of 640 acres of land, &c. that are now, or may hereafter be, surrendered to the United States, who may wish to become citizens of the United States, do agree to give a reservation of six hundred and forty acres of land, in a square, to include their improvements, which are to be as near the centre thereof as practicable, in which they will have a life estate, with a reversion in fee simple to their children, reserving to the widow her dower, the register of whose names is to be filed in the office of the Cherokee agent, which shall be kept open until the census is taken as stipulated in the third article of this treaty. Provided, That if any of the heads of families, for whom reservations may be made, should remove therefrom, then, in that case, the right to revert to the United States. And provided further, That the land which may be reserved under this article, be deducted from the amount which has been ceded under the first and second articles of this treaty.

Free navigation of all the waters.

Art. 9. It is also provided by the contracting parties, that nothing in the foregoing articles shall be construed so as to prevent any of the parties so contracting from the free navigation of all the waters mentioned therein.

Cession of the reservations of Doublehead and others, to the U. States.

Art. 10. The whole of the Cherokee nation do hereby cede to the United States all right, title, and claim, to all reservations made to Doublehead and others, which were reserved to them by a treaty made and entered into at the city of Washington, bearing date the seventh of January, one thousand eight hundred and six.*

(* Ante, No. 3, of this chapter.)

Boundary lines, under the 1st, 2d, and 5th articles, to be run by commissioners.

Art. 11. It is further agreed that the boundary lines of the lands ceded to the United States by the first and second articles of this treaty, and the boundary line of the lands ceded by the United States in the fifth article of this treaty, is to be run and marked by a commissioner or commissioners appointed by the president of the United States, who shall be accompanied by such commissioners as the Cherokees may appoint; due notice thereof to be given to the nation.

The United States to prevent intruders until the treaty is ratified, &c.

Art. 12. The United States do also bind themselves to prevent the intrusion of any of its citizens within the lands ceded by the first and second articles of this treaty, until the same shall be ratified by the president and senate of the United States, and duly promulgated.

This treaty to take effect as soon as ratified,

Art. 13. The contracting parties do also stipulate that this treaty shall take effect and be obligatory on the contracting parties so soon as the same shall be ratified by the president of the United States, by and with the advice and consent of the senate of the United States.

In witness of all and every thing herein determined, by and between the before recited contracting parties, we have, in full and open council, at the Cherokee Agency, this eighth day of July, A. D. one thousand eight hundred and seventeen, set our hands and seals.

Andrew Jackson, } *United States' Commissioners.*
 Joseph M'Minn, }
 D. Meriwether, }
 Richard Brown, his x mark,
 Cabbin Smith, his x mark,
 Sleeping Rabbit, his x mark,
 George Saunders, his x mark,
 Roman Nose, his x mark,
 Currohe Dick, his x mark,
 John Walker, his x mark,
 George Lowry,
 Richard Taylor,
 Walter Adair,
 James Brown,
 Kelachule, his x mark,
 Sour Mush, his x mark,
 Chulioa, his x mark,
 Chickasautchee, his x mark,
 The Bark of Chota, his x mark,
 The Bark of Hightower, his x mark,
 Big Half Breed, his x mark,
 Going Snake, his x mark,
 Leyestisky, his x mark,
 Ch. Hicks,
 Young Davis, his x mark,
 Souanocka, his x mark,
 The Locust, his x mark,
 Beaver Carrier, his x mark,
 Dreadful Water, his x mark,
 Chyula, his x mark,
 Ja. Martin,
 John M'Mintosh, his x mark,
 Katchee of Owee, his x mark,
 White man killer, his x mark.

ARKANSAS CHIEFS.

Toochalar, his x mark,
 The Glass, his x mark,
 Wassasee, his x mark,
 John Jolly, his x mark,
 The Gourd, his x mark,
 Spring Frog, his x mark,
 John D. Chisholm,
 James Rogers,
 Wawhatchy, his x mark,
 Attalona, his x mark,
 Kulsettchee, his x mark,
 Tuskekeetchee, his x mark,
 Chillawgatchee, his x mark,
 John Smith, his x mark,
 Toosawallata, his x mark.

In presence of

J. M. Glassel, *secretary to the commission,*
 Thomas Wilson, *clerk to the commissioners,*
 Walter Adair,
 John Speirs, *interpreter,* his x mark,
 A. M'Coy, *interpreter,*
 James C. Bronaugh, *hospital surgeon U. S. army*
 Isham Randolph, *captain 1st redoubtables,*
 Wm. Meriwether,
 Return J. Meigs, *agent Cherokee nation.*

Convention
with the Che-
rokees,
Washington,
27th Feb.
1819.

No. 14. Articles of a convention made between John C. Calhoun, Secretary of War, being specially authorized therefor by the president of the United States, and the undersigned chiefs and head men of the Cherokee nation of Indians, duly authorized and empowered by said nation, at the city of Washington, on the twenty-seventh day of February, in the year of our Lord one thousand eight hundred and nineteen.

The greater
part of the
Cherokees
desire to re-
main on this
side the Mis-
sissippi.

(* Ante, No.
13 of this
chap.)

Census to be
dispensed
with.

Cession of
lands by the
Cherokees.

Islands, &c.
except Jolly's,
belong to the
Cherokees.

Reservations,
&c. ceded to
the U. S. as a
school fund.

(* Ante, No.
6 of this chap.)

Whereas a greater part of the Cherokee nation have expressed an earnest desire to remain on this side of the Mississippi, and being desirous, in order to commence those measures which they deem necessary to the civilization and preservation of their nation, that the treaty between the United States and them, signed the eighth of July, eighteen hundred and seventeen,* might, without further delay, or the trouble or expense of taking the census, as stipulated in the said treaty, be finally adjusted, have offered to cede to the United States a tract of country at least as extensive as that which they probably are entitled to under its provisions, the contracting parties have agreed to and concluded the following articles:

Art. 1. The Cherokee nation cedes to the United States all of their lands lying north and east of the following line, viz: Beginning on the Tennessee river, at the point where the Cherokee boundary with Madison county, in the Alabama territory, joins the same; thence, along the main channel of said river, to the mouth of the Highwassee; thence, along its main channel, to the first hill which closes in on said river, about two miles above Highwassee Old Town; thence, along the ridge which divides the waters of the Highwassee and Little Tellico, to the Tennessee river, at Tallasee; thence, along the main channel, to the junction of the Cowee and Nanteyalee; thence, along the ridge in the fork of said river, to the top of the Blue Ridge; thence, along the Blue Ridge, to the Unicoy Turnpike Road; thence, by a straight line, to the nearest main source of the Chestatee; thence, along its main channel, to the Chatahouchee; and thence to the Creek boundary; it being understood that all the islands in the Chestatee, and the parts of the Tennessee and Highwassee, (with the exception of Jolly's Island in the Tennessee, near the mouth of the Highwassee,) which constitute a portion of the present boundary, belong to the Cherokee nation; and it is also understood, that the reservations contained in the second article of the treaty of Tellico, signed the 25th October, eighteen hundred and five,* and a tract equal to twelve miles square, to be located by commencing at the point formed by the intersection of the boundary line of Madison county, already mentioned, and the north bank of the Tennessee river; thence, along the said line, and up the said river twelve miles, are ceded to the United States, in trust for the Cherokee nation as a school fund; to be sold by the United States, and the proceeds vested as is hereafter provided in the fourth article of this treaty; and also, that the

rights vested in the Unicoy Turnpike Company, by the Cherokee nation, according to certified copies of the instruments securing the rights, and herewith annexed, are not to be affected by this treaty; and it is further understood and agreed by the said parties, that the lands hereby ceded by the Cherokee nation, are in full satisfaction of all claims which the United States have on them, on account of the cession to a part of their nation who have or may hereafter emigrate to the Arkansaw; and this treaty is a final adjustment of that of the eighth of July, eighteen hundred and seventeen.

Art. 2. The United States agree to pay, according to the stipulations contained in the treaty of the eighth of July, eighteen hundred and seventeen, for all improvements on land lying within the country ceded by the Cherokees, which add real value to the land, and do agree to allow a reservation of six hundred and forty acres to each head of any Indian family residing within the ceded territory, those enrolled for the Arkansaw excepted, who choose to become citizens of the United States, in the manner stipulated in said treaty.

Art. 3. It is also understood and agreed by the contracting parties, that a reservation, in fee simple, of six hundred and forty acres square, with the exception of Major Walker's, which is to be located as is hereafter provided, to include their improvements, and which are to be as near the centre thereof as possible, shall be made to each of the persons whose names are inscribed on the certified list annexed to this treaty, all of whom are believed to be persons of industry, and capable of managing their property with discretion, and have, with few exceptions, made considerable improvements on the tracts reserved. The reservations are made on the condition, that those for whom they are intended shall notify, in writing, to the agent for the Cherokee nation, within six months after the ratification of this treaty, that it is their intention to continue to reside permanently on the land reserved.

The reservation for Lewis Ross, so to be laid off as to include his house, and out buildings, and ferry adjoining the Cherokee agency, reserving to the United States all the public property there, and the continuance of the said agency where it now is, during the pleasure of the government; and Major Walker's, so as to include his dwelling house and ferry: for Major Walker an additional reservation is made of six hundred and forty acres square, to include his grist and saw mill; the land is poor, and principally valuable for its timber. In addition to the above reservations, the following are made, in fee simple; the persons for whom they are intended not residing on the same: To Cabbin Smith, six hundred and forty acres, to be laid off in equal parts, on both sides of his ferry on Tellico, commonly called Blair's ferry; to John Ross, six hundred and forty acres, to be laid off so as to include the Big Island in Ten-

Rights vested in the Unicoy Turnpike company not to be affected. The lands hereby ceded are in full satisfaction.

The U. S. to pay for improvements on ceded lands.

640 acres to each head of a family, choosing to become citizens.

640 acres, in fee simple, to each person on the list annexed to this treaty, except Maj. Walker.

Notification, within six months, to the agent for the Cherokees, of the intention to continue to reside.

Reservations for Lewis Ross,

Maj. Walker's reservations,

Additional reservations.

To Cabbin Smith.

To John Ross:

To Mrs. Eliza Ross.

To Margaret Morgan.

To George Harlin.

To James Lowry.

To Susannah Lowry.

To Nicholas Byers.

The reservations, to be sold, and the proceeds vested in stock.

Interest on the stock to be applied to the purposes of education, &c.

Boundary lines to be run by commissioners.

Leases under treaty of 8th July, 1817, void.

(Ante, No. 13 of this chap.)

White intruders to be removed.

Division of annuity to the Cherokee nation.

If the Cherokees west of

Tennessee river, being the first below Tellico—which tracts of land were given many years since, by the Cherokee nation, to them; to Mrs. Eliza Ross, step daughter of Major Walker, six hundred and forty acres square, to be located on the river below and adjoining Major Walker's; to Margaret Morgan, six hundred and forty acres square, to be located on the west of, and adjoining, James Riley's reservation; to George Harlin, six hundred and forty acres square, to be located west of, and adjoining the reservation of Margaret Morgan; to James Lowry, six hundred and forty acres square, to be located at Crow Mocker's old place, at the foot of Cumberland mountain; to Susannah Lowry, six hundred and forty acres, to be located at the Toll Bridge on Battle Creek; to Nicholas Byers, six hundred and forty acres, including the Toqua Island, to be located on the north bank of the Tennessee, opposite to said Island.

Art. 4. The United States stipulate that the reservations, and the tract reserved for a school fund, in the first article of this treaty, shall be surveyed and sold in the same manner, and on the same terms, with the public lands of the United States, and the proceeds vested, under the direction of the president of the United States, in the stock of the United States, or such other stock as he may deem most advantageous to the Cherokee nation. The interest or dividend on said stock, shall be applied, under his direction, in the manner which he shall judge best calculated to diffuse the benefits of education among the Cherokee nation on this side of the Mississippi.

Art. 5. It is agreed that such boundary lines as may be necessary to designate the lands ceded by the first article of this treaty, may be run by a commissioner or commissioners, to be appointed by the president of the United States, who shall be accompanied by such commissioners as the Cherokees may appoint, due notice thereof to be given to the nation; and that the leases which have been made under the treaty of the eighth of July, eighteen hundred and seventeen, of land lying within the portion of country reserved to the Cherokees, to be void; and that all white people who have intruded, or may hereafter intrude, on the lands reserved for the Cherokees, shall be removed by the United States, and proceeded against according to the provisions of the act passed thirtieth March, eighteen hundred and two, entitled "An act to regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontiers."

Art. 6. The contracting parties agree that the annuity to the Cherokee nation shall be paid, two-thirds to the Cherokees east of the Mississippi, and one-third to the Cherokees west of that river, as it is estimated that those who have emigrated, and who have enrolled for emigration, constitute one-third of the whole nation; but, if the Cherokees west of the Mississippi

* See this act among the laws following the treaties in this volume.

object to this distribution, of which due notice shall be given them, before the expiration of one year after the ratification of this treaty, then the census, solely for distributing the annuity, shall be taken at such times, and in such manner, as the president of the United States may designate.

Art. 7. The United States, in order to afford the Cherokees who reside on the lands ceded by this treaty, time to cultivate their crop next summer, and for those who do not choose to take reservations, to remove, bind themselves to prevent the intrusion of their citizens on the ceded land before the first of January next.

Art. 8. This treaty to be binding on the contracting parties so soon as it is ratified by the president of the United States, and with the advice and consent of the senate.

Done at the place, and on the day and year, above written.

J. C. CALHOUN.

Ch. Hicks,
Jno. Ross,
Lewis Ross,
John Martin,
James Brown,
Geo. Lowry,
Gideon Morgan, jr.
Cabbin Smith, his x mark,
Sleeping Rabbit, his x mark,
Small Wood, his x mark,
John Walker, his x mark,
Currohee Dick, his x mark.

Witnesses

Return J. Meigs,
C. Vandeventer,
Elias Earle,
John Lowry.

List of persons referred to in the 3d article of the annexed treaty.

Richard Walker, within the limits of North Carolina.	do.	John Brown, Tennessee.	
Yonah, alias Big Bear,	do.	Elizabeth Lowry, do.	do.
John Martin, do.	Georgia,	George Lowry, within the limits of Tennessee.	
Peter Linch,	do. do.	John Bengé,	do. do.
Daniel Davis,	do. do.	Mrs. Eliz. Peck,	do. do.
George Parris,	do. do.	John Walker, Sr.	do. do.
Walter S. Adair,	do. do.	John Walker, Jr. (unmarried),	do.
Thomas Wilson, Alab. Terr.		Richard Taylor,	do. do.
Richard Riley,	do. do.	John McIntosh,	do. do.
James Riley,	do. do.	James Starr,	do. do.
Edward Gunter,	do. do.	Samuel Parks,	do. do.
Robert McLemore, Tenn.		The Old Bark, (of Chota)	do.
John Balldridge,	do. do.	No. of reserves within the limits of	
Lewis Ross,	do. do.	North Carolina,	2
Fox Taylor,	do. do.	Georgia,	5
Rd. Timberlake,	do. do.	Alabama Terr.	4
David Fields, (to include his mill,) do.		Tennessee,	20
James Brown, (to include his field by the long pond,) do.	do.	Total No. of reserves,	31
William Brown,	do. do.		—

I hereby certify, that I am, either personally, or by information on which I can rely, acquainted with the persons before named, all of whom I believe to be persons of industry, and capable of managing their property with discretion; and who have, with few exceptions, long resided on the tracts reserved, and made considerable improvements thereon.

RETURN J. MEIGS,
Agent in the Cherokee nation.

(COPY.) *Cherokee Agency, Highwassee Garrison.*

We, the undersigned chiefs and counsellors of the Cherokees, in full council assembled, do hereby give, grant, and make over, unto Nicholas Byers and David Russell, who are agents in behalf of the states of Tennessee and Georgia, full power and authority to establish a Turnpike Company, to be composed of them, the said Nicholas and David, Arthur Henly, John Lowry, Atto. and one other person, by them to be hereafter named, in behalf of the state of Georgia; and the above named persons are authorized to nominate five proper and fit persons, natives of the Cherokees, who, together with the white men aforesaid, are to constitute the company; which said company, when thus established, are hereby fully authorized by us, to lay out and open a road from the most suitable point on the Tennessee river, to be directed the nearest and best way to the highest point of navigation on the Tugolo river; which said road, when opened and established, shall continue and remain a free and public highway, unmolested by us, to the interest and benefit of the said company, and their successors, for the full term of twenty years, yet to come, after the same may be open and complete; after which time, said road, with all its advantages, shall be surrendered up, and reverted in, the said Cherokee nation. And the said company shall have leave, and are hereby authorized, to erect their public stands, or houses of entertainment on said road, that is to say: one at each end, and one in the middle, or as nearly so as a good situation will permit; with leave also to cultivate one hundred acres of land at each end of the road, and fifty acres at the middle stand, with a privilege of a sufficiency of timber for the use and consumption of said stands. And the said Turnpike Company do hereby agree to pay the sum of one hundred and sixty dollars yearly to the Cherokee nation, for the aforesaid privilege, to commence after said road is opened and in complete operation. The said company are to have the benefit of one ferry on Tennessee river, and such other ferry or ferries as are necessary on said road; and, likewise, said company shall have the exclusive privilege of trading on said road during the aforesaid term of time.

In testimony of our full consent to all and singular the above named privileges and advantages, we have hereunto set

our hands and affixed our seals, this eighth day of March, eighteen hundred and thirteen.

Outahelee, his x mark,
 Naire, above, his x mark,
 Theclagathahee, his x mark,
 The Raven, his x mark,
 Two Killers, his x mark,
 Teeestiskee, his x mark,
 John Boggs, his—mark,
 Quotiquaskee, his—mark,
 Curihee, Dick, his—mark,
 Ooseekee, his—mark,
 Tooohalee,
 Chulio,
 Dick Justice,
 Wausaway,
 Big Cabbim,
 The Bark,
 Nettle Carrier,
 Seekeekee,
 John Walker,
 Dick Brown,
 Charles Hicks

Witnesses present:

Wm. L. Lovely, *assistant agent*,
 William Smith,
 George Colville,
 James Carey, } *interpreters.*
 Richard Taylor, }

The foregoing agreement and grant was amicably negotiated and concluded in my presence.

(Signed)

RETURN J. MEIGS.

I certify I believe the within to be a correct copy of the original.

CHARLES HICKS.

Washington City, March 1, 1819.

Cherokee Agency, Jan. 6, 1817.

We, the undersigned chiefs of the Cherokee nation, do hereby grant unto Nicholas Byers, Arthur H. Henly, and David Russell, proprietors of the Unicoy road to Georgia, the liberty of cultivating all the ground contained in the bend on the north side of Tennessee river, opposite and below Chota Old Town, together with the liberty to erect a grist mill on Four Mile creek, for the use and benefit of said road, and the Cherokees in the neighborhood thereof; for them, the said Byers, Henly, and Russell, to have and to hold the above privileges during the term of lease of the Unicoy road, also obtained from the Cherokees, and sanctioned by the president of the United States.

In witness whereof, we hereunto affix our hands and seals in presence of

John McIntosh,
 Charles Hicks

Path Killer,
Tuchalar,
The Gloss,
John Walker,
Path Killer, jr.
Going Snake.

Witness :

Return J. Meigs, *U. S. agent.*

The above instrument was executed in open Cherokee council, in my office, in January, 1817.

(Signed)

RETURN J. MEIGS.

Cherokee Agency, 8th July, 1817.

The use of the Unicoy road, so called, was for twenty years.

(Signed)

RETURN J. MEIGS.

I certify I believe the within to be a correct copy of the original.

CH. HICKS.

Washington City, March 1, 1819.

[*Note.* The Cherokees west of the Mississippi assented to the division of the annuities, to which the Cherokee nation is entitled under the several treaties of this chapter, made by the 6th article of the last preceding treaty, and the annuities are accordingly paid annually to the two parts of the nation, in the proportion specified in said 6th article.]

CHAPTER V.

Treaties with the Choctaws.

Treaty with the Choctaws. No. 1. Articles of a treaty concluded at Hopewell, on the Keowee, near Seneca Old Town, between Benjamin Hawkins, Andrew Pickens, and Joseph Martin, commissioners plenipotentiary of the United States of America, of the one part; and Yockonahoma, great medal chief of Soonacoha; Yockahoopoie, leading chief of Bugtoogoloo; Mingohoopoie, leading chief of Hashooqua; Tobocoh, great medal chief of Congetoo; Pooshemastubie, gorget captain of Senayazo; and thirteen small medal chiefs of the first class, twelve medal and gorget captains, commissioners plenipotentiary of all the Choctaw nation, of the other part.

The United States give peace. The commissioners plenipotentiary of the United States of America give peace to all the Choctaw nation, and receive them into the favor and protection of the United States of America, on the following conditions:

The Choctaws to restore prisoners, negroes, and all other property. *Art. 1.* The commissioners plenipotentiary of all the Choctaw nation, shall restore all the prisoners, citizens of the United States, or subjects of their allies, to their entire liberty, if any there be in the Choctaw nation. They shall also restore all the negroes, and all other property taken during the late war, from the citizens, to such person, and at such time and place, as the commissioners of the United States of America shall appoint, if any there be in the Choctaw nation.

Art. 2. The commissioners plenipotentiary of all the Choctaw nation, do hereby acknowledge the tribes and towns of the said nation, and the lands with the boundary allotted to the said Indians to live and hunt on, as mentioned in the third article, to be under the protection of the United States of America, and of no other sovereign whosoever.

Art. 3. The boundary of the lands hereby allotted to the Choctaw nation to live and hunt on, within the limits of the United States of America, is and shall be the following, viz : beginning at a point on the thirty-first degree of north latitude, where the eastern boundary of the Natchez district shall touch the same ; thence east along the said thirty-first degree of north latitude, being the southern boundary of the United States of America, until it shall strike the eastern boundary of the lands on which the Indians of the said nation did live and hunt on the twenty-ninth of November, one thousand seven hundred and eighty-two, while they were under the protection of the king of Great-Britain ; thence northerly along the said eastern boundary, until it shall meet the northern boundary of the said lands ; thence westerly along the said northern boundary, until it shall meet the western boundary thereof ; thence southerly along the same, to the beginning: saving and reserving for the establishment of trading posts, three tracts or parcels of land, of six miles square each, at such places as the United States, in congress assembled, shall think proper ; which posts, and the lands annexed to them, shall be to the use and under the government of the United States of America.

Art. 4. If any citizen of the United States, or other person, not being an Indian, shall attempt to settle on any of the lands hereby allotted to the Indians to live and hunt on, such person shall forfeit the protection of the United States of America, and the Indians may punish him or not, as they please.

Art. 5. If any Indian or Indians, or persons residing among them, or who shall take refuge in their nation, shall commit a robbery or murder, or other capital crime, on any citizen of the United States of America, or person under their protection, the tribe to which such offender may belong, or the nation, shall be bound to deliver him or them up to be punished according to the ordinances of the United States in congress assembled: provided, that the punishment shall not be greater than if the robbery or murder, or other capital crime, had been committed by a citizen on a citizen.

Art. 6. If any citizen of the United States of America, or person under their protection, shall commit a robbery or murder, or other capital crime, on any Indian, such offender or offenders shall be punished in the same manner as if the robbery or murder, or other capital crime, had been committed on a citizen of the United States of America ; and the punishment

The tribes and towns of the Choctaws, under the protection of the United States.

Boundary of lands for the Choctaws to live and hunt on.

Reservation for trading posts.

Citizens of the United States, settling on Choctaw lands, outlawed.

The Choctaws to deliver up robbers, murderers, &c. for punishment.

Punishment not to exceed that of a citizen.

The punishment for robbing or murdering a Choctaw, the same as if the crime had been committed on a citizen.

Choctaws may be present at the punishment. shall be in presence of some of the Choctaws, if any will attend at the time and place ; and that they may have an opportunity so to do, due notice, if practicable, of the time of such intended punishment, shall be sent to some one of the tribes.

Retaliation for private injuries, prohibited. *Art. 7.* It is understood that the punishment of the innocent, under the idea of retaliation, is unjust, and shall not be practised on either side, except where there is a manifest violation of this treaty ; and then it shall be preceded, first by a demand of justice ; and if refused, then by a declaration of hostilities.

Congress to have the sole right of regulating trade with the Choctaws. *Art. 8.* For the benefit and comfort of the Indians, and for the prevention of injuries or oppressions on the part of the citizens or Indians, the United States in congress assembled shall have the sole and exclusive right of regulating the trade with the Indians, and managing all their affairs in such manner as they think proper.

Temporary free trade to the Choctaw towns. *Art. 9.* Until the pleasure of congress be known, respecting the eighth article, all traders, citizens of the United States of America, shall have liberty to go to any of the tribes or towns of the Choctaws, to trade with them, and they shall be protected in their persons and property, and kindly treated.

The Choctaws to give notice of designs against the United States. *Art. 10.* The said Indians shall give notice to the citizens of the United States of America, of any designs which they may know or suspect to be formed in any neighboring tribe, or by any person whosoever, against the peace, trade, or interest, of the United States of America.

The hatchet forever buried, and peace universal. *Art. 11.* The hatchet shall be forever buried, and the peace given by the United States of America, and friendship re-established between the said states on the one part, and all the Choctaw nation on the other part, shall be universal ; and the contracting parties shall use their utmost endeavors to maintain the peace given as aforesaid, and friendship re-established.

In witness of all and every thing herein determined, between the United States of America and all the Choctaws, we, their underwritten commissioners, by virtue of our full powers, have signed this definitive treaty, and have caused our seals to be hereunto affixed.

Done at Hopewell, on the Keowee, this third day of January, in the year of our Lord one thousand seven hundred and eighty-six.

Benjamin Hawkins,	1. s.
Andrew Pickens,	1. s.
Jos. Martin,	1. s.
Yockenahoma, his x mark,	1. s.
Yockehoopoie, his x mark,	1. s.
Mingohoopoie, his x mark,	1. s.
Tobocoh, his x mark,	1. s.
Pooshemastuby, his x mark,	1. s.
Pooshahooma, his x mark,	1. s.
Tuscoonohoopoie, his x mark,	1. s.

Shinshemastuby, his x mark,	l. s.
Yoopahooma, his x mark,	l. s.
Stoonokoohoopoie, his x mark,	l. s.
Tehakuhbay, his x mark,	l. s.
Pooshemastuby, his x mark,	l. s.
Tuskkahoomoih, his x mark,	l. s.
Tushkahoomock, his x mark,	l. s.
Yoostenochha, his x mark,	l. s.
Tootehooma, his x mark,	l. s.
Toobenohoomoch, his x mark,	l. s.
Cahecoopohoomoch, his x mark,	l. s.
Stonakoohoopoie, his x mark,	l. s.
Tushkoheegohta, his x mark,	l. s.
Teshuhenochloch, his x mark,	l. s.
Pooshonaltla, his x mark,	l. s.
Okanconnooba, his x mark,	l. s.
Autoonachuba, his x mark,	l. s.
Pangehooloch, his x mark,	l. s.
Steabee, his x mark,	l. s.
Tenetchenna, his x mark,	l. s.
Tushkementahock, his x mark,	l. s.
Tushtallay, his x mark,	l. s.
Cshnaangchabba, his x mark,	l. s.
Cunnopoie, his x mark,	h. s.

Witness.

Wm. Blount,
John Woods,
Saml. Taylor,
Robert Anderson,
Benj. Lawrence,
John Pitchlynn, } *interpreters.*
James Cole,

No. 2. A treaty of friendship, limits, and accommodation, between the United States of America and the Choctaw nation of Indians.

Treaty with
the Choctaws.

Thomas Jefferson, president of the United States of America, by James Wilkinson, of the state of Maryland, brigadier general in the army of the United States, Benjamin Hawkins, of North-Carolina, and Andrew Pickens, of South-Carolina, commissioners plenipotentiary of the United States, on the one part, and the Mingos, principal men and warriors of the Choctaw nation, representing the said nation in council assembled, on the other part, have entered into the following articles and conditions, viz.

Art. 1. Whereas the United States in congress assembled, did, by their commissioners plenipotentiary, Benjamin Hawkins, Andrew Pickens, and Joseph Martin, at a treaty held with the chiefs and head men of the Choctaw nation at Hopewell, on the Keowee, the third day of January, in the year of our Lord one thousand seven hundred and eighty-six, give peace to the said nation, and receive it into the favor and protection of the United States of America; it is agreed by the parties to these presents respectively, that the Choctaw nation, or such

Reference to
the treaty of
Hopewell.
See ante, No.
1, of this chap.

The Choctaws
to continue un-

der the protection of the United States.

part of it as may reside within the limits of the United States, shall be and continue under the care and protection of the said states; and that the mutual confidence and friendship which are hereby acknowledged to subsist between the contracting parties, shall be maintained and perpetuated.

The Choctaws consent to the opening of a wagon way, &c.

Direction of the way.

A highway forever.

Choctaws to assist in laying out the way.

Art. 2. The Mingos, principal men, and warriors, of the Choctaw nation of Indians, do hereby give their free consent, that a convenient and durable wagon way may be explored, marked, opened, and made, under the orders and instructions of the president of the United States, through their lands; to commence at the northern extremity of the settlements of the Mississippi territory, and to be extended from thence, by such route as may be selected and surveyed under the authority of the president of the United States, until it shall strike the lands claimed by the Chickasaw nation; and the same shall be and continue for ever, a highway for the citizens of the United States and the Choctaws; and the said Choctaws shall nominate two discreet men from their nation, who may be employed as assistants, guides, or pilots, during the time of laying out and opening the said highway, or so long as may be deemed expedient, under the direction of the officer charged with this duty, who shall receive a reasonable compensation for their services.

The old British line of demarcation, to be the boundary line between the Choctaws and the Mississippi territory.

Relinquishment of land on the Mississippi river, to the U. States.

Persons settled beyond the Choctaw line, to be removed.

The execution of the 2d article discretionary with the

Art. 3. The two contracting parties covenant and agree, that the old line of demarcation heretofore established by and between the officers of his Britannic majesty and the Choctaw nation, which runs in a parallel direction with the Mississippi river, and eastward thereof, shall be retraced and plainly marked, in such way and manner as the president may direct, in the presence of two persons to be appointed by the said nation; and that the said line shall be the boundary between the settlements of the Mississippi territory and the Choctaw nation. And the said nation does, by these presents, relinquish to the United States and quit claim forever, all their right, title, and pretension, to the land lying between the said line and the Mississippi river, bounded south by the thirty-first degree of north latitude, and north by the Yazoo river, where the said line shall strike the same; and on the part of the commissioners it is agreed, that all persons who may be settled beyond this line shall be removed within it, on the side towards the Mississippi, together with their slaves, household furniture, tools, materials, and stock, and that the cabins or houses erected by such persons shall be demolished.

Art. 4. The president of the United States may, at his discretion, proceed to execute the second article* of this treaty; and the third article† shall be carried into effect as soon as may

* Relative to a wagon way.

† Concerning the Mississippi and Choctaw boundary line.

be convenient to the government of the United States, and without unnecessary delay on the one part or the other, of which the president shall be the judge; the Choctaws to be seasonably advised, by order of the president of the United States, of the time when, and the place where, the re-survey and re-marking of the old line referred to in the preceding article will be commenced.

Art. 5. The commissioners of the United States, for and in consideration of the foregoing concessions on the part of the Choctaw nation, and in full satisfaction for the same, do give and deliver to the Mingos, chiefs, and warriors, of the said nation, at the signing of these presents, the value of two thousand dollars in goods and merchandise, net cost of Philadelphia, the receipt whereof is hereby acknowledged, and they further engage to give three sets of blacksmith's tools to the said nation.

president: the
3d to be car-
ried into effect
as soon as con-
venient.

The United
States deliver
to the Choctaws
goods to the
amount of
\$2,000.

Three sets of
blacksmith's
tools.

Art. 6. This treaty shall take effect and be obligatory on the contracting parties, as soon as the same shall be ratified by the president of the United States of America, by and with the advice and consent of the senate thereof.

This treaty to
take effect as
soon as rati-
fied.

In testimony whereof, the commissioners plenipotentiary of the United States, and the Mingos, principal men, and warriors, of the Choctaw nation, have hereto subscribed their names and affixed their seals, at fort Adams, on the Mississippi, this seventeenth day of December, in the year of our Lord one thousand eight hundred and one, and of the independence of the United States the twenty-sixth.

James Wilkinson,	l. s.
Benjamin Hawkins,	l. s.
Andrew Pickens,	l. s.
Tuskona Hopola, his x mark,	l. s.
Toota Homo, his x mark,	l. s.
Mingo Hom Massatubby, his x mark,	l. s.
Oak Shumme, his x mark,	l. s.
Mingo Pooscoos, his x mark,	l. s.
Buckshun Nubby, his x mark,	l. s.
Shappa Homo, his x mark,	l. s.
Hiupa Homo, his x mark,	l. s.
Hiatala Homo, his x mark,	l. s.
Hoehe Homo, his x mark,	l. s.
Tuspena Chaabe, his x mark,	l. s.
Muclosa Hopola, his x mark,	l. s.
Capputanne Thlucco, his x mark,	l. s.
Robert McClure, his x mark,	l. s.
Poosha Homo, his x mark,	l. s.
Baka Lubbe, his x mark,	l. s.

Witnesses present:

Alexander Macomb, jun. *secretary to the commission,*
John McKee, *deputy superintendent, and agent to the Choctaws,*
Henry Gaither, *lieutenant colonel commandant,*
John H. Brull, *major second regiment infantry,*
Bw. Shaumburgh, *captain second regiment infantry,*

Frans. Jones, *assistant quarter master general*,
 Benjamin Wilkinson, *lieutenant and paymaster third United States' regiment*,
 J. B. Walback, *aid de camp to the commanding general*,
 J. Wilson, *lieutenant third regiment infantry*,
 Samuel Jeton, *lieutenant second regiment of artillery and engineers*,
 John F. Carmichael, *surgeon third regiment United States' army*.

- Convention with the Choctaws. No. 3. A provisional convention entered into and made by brigadier general James Wilkinson, of the state of Maryland, commissioner for holding conferences with the Indians south of the Ohio river, in behalf of the United States, on the one part, and the whole Choctaw nation, by their chiefs, head men, and principal warriors, on the other part.
- Mutual accommodation and perpetuation of concord. PREAMBLE: For the mutual accommodation of the parties, and to perpetuate that concord and friendship, which so happily subsists between them, they do hereby freely, voluntarily, and without constraint, covenant and agree:
- The president may, by commissioners, retrace the old British line of limits. Art. 1. That the president of the United States may, at his discretion, by a commissioner or commissioners, to be appointed by him, by and with the advice and consent of the senate of the United States, retrace, connect, and plainly re-mark the old line of limits, established by and between his Britannic majesty and the said Choctaw nation, which begins on the left bank of the Chickasawhay river, and runs thence in an easterly direction to the right bank of the Tombigbee river, terminating on the same, at a bluff, well known by the name of Hacha Tiggeby; but it is to be clearly understood, that two Choctaw commissioners, to be appointed by the said nation, from their own body, are to attend the commissioner or commissioners of the United States who may be appointed to perform this service, for which purpose the said Choctaw nation shall be seasonably advised by the president of the United States, of the particular period at which the operation may be commenced, and the said Choctaw commissioners shall be subsisted by the United States, so long as they may be engaged on this business, and paid for their services, during the said term, at the rate of one dollar per day.
- Direction of that line. Art. 2. The said line, when thus re-marked and re-established, shall form the boundary between the United States and the said Choctaw nation, in that quarter: and the said Choctaw nation, for, and in consideration of one dollar, to them in hand paid by the said United States, the receipt whereof is hereby acknowledged, do hereby release to the said United States, and quit claim for ever, to all that tract of land which is included by the before named line on the north, by the Chickasawhay river on the west, by the Tombigbee and the Mobile rivers on the east, and by the boundary of the United States on the south.
- Two Choctaw commissioners to attend.
- The old British line, when re-established, to form the boundary.
- Quit claim of the Choctaws to a tract of land here described.
- The head men of the upper
- Art. 3. The chiefs, head men, and warriors, of the said Choctaw nation, do hereby constitute, authorize, and appoint,

the chiefs and head men of the upper towns of the said nation, to make such alteration in the old boundary line near the mouth of the Yazoo river, as may be found convenient, and may be done without injury to the said nation.

town to make
alteration in
the old bound-
ary near the
Yazoo.

Art. 4. This convention shall take effect, and become obligatory on the contracting parties, as soon as the president of the United States, by and with the advice and consent of the senate, shall have ratified the same.

This conven-
tion to take
effect as soon
as ratified.

In testimony whereof, the parties have hereunto set their hands and affixed their seals at fort Confederation, on the Tombigbee, in the Choctaw country, this 17th day of October, in the year of our Lord one thousand eight hundred and two, and of the independence of the United States the twenty-seventh.

James Wilkinson,	l. s.
<i>In behalf of the lower towns and Chickasawhay.</i>	
Tuskona Hoopoio, his x mark,	l. s.
Mingo Pooskoos, his x mark,	l. s.
Mingo Pooskoos, 2d, his x mark,	l. s.
Poosha Mattahaw, his x mark,	l. s.
<i>In behalf of the upper towns.</i>	
Oak Chummy, his x mark,	l. s.
Tuskee Maiaby, his x mark,	l. s.
<i>In behalf of the six towns and lower town.</i>	
Latahomah, his x mark,	l. s.
Mooklahoosopoieh, his x mark,	l. s.
Mingo Hom Astubby, his x mark,	l. s.
Tuskahomah, his x mark,	l. s.

Witnesses present:

Silas Dinsmoor, agent to the Choctaws,
John Pitchlynn,
Turner Brashears,
Peter H. Naisalis,
John Long,

} interpreters.

No. 4. Treaty between the United States of America and the Choctaw nation of Indians. Treaty with the Choctaws.

To whom these presents shall come.

Know ye, that the undersigned commissioners plenipotentiary of the United States of America, of the one part, and of the whole Choctaw nation of the other part, being duly authorized by the president of the United States, and by the chiefs and head men of the said nation, do hereby establish, in conformity to the convention of fort Confederation, for the line of demarcation recognized in the said convention, the following metes and bounds, viz. Beginning in the channel of the Hatche Comesa, or Wax river, at the point where the line of limits between the United States and Spain crosseth the same, thence up the channel of said river to the confluence of the

Line of demarcation established in conformity to the convention of fort Confederation. See ante, No. 3, articles 1 and 2 of this chap.

Chickasawhay and Buckhatannee rivers, thence up the channel of the Buckhatannee to Bogue Hooma or Red creek, thence up the said creek to a pine tree standing on the left bank of the same, and blazed on two of its sides, about twelve links south-west of an old trading path, leading from the town of Mobile to the Hewanee towns, much worn, but not in use at the present time. From this tree we find the following bearings and distances, viz. south fifty-four degrees thirty minutes west, one chain one link, a black gum, north thirty-nine degrees east, one chain seventy-five links, a water oak; thence with the old British line of partition in its various inflections, to a mulberry post, planted on the right bank of the main branch of Sintee Bogue or Snake creek, where it makes a sharp turn to the southeast, a large broken top cypress tree standing near the opposite bank of the creek, which is about three poles wide, thence down the said creek to the Tombigbee river, thence down the Tombigbee and Mobile rivers to the above mentioned line of limits between the United States and Spain, and with the same to the point of beginning: and we, the said commissioners plenipotentiary, do ratify and confirm the said line of demarcation, and do recognize and acknowledge the same to be the boundary which shall separate and distinguish the land ceded to the United States, between the Tombigbee, Mobile, and Pascagola rivers, from that which has not been ceded by the said Choctaw nation.

The Commissioners on both sides recognize and confirm the line, &c.

In testimony whereof, we hereunto affix our hands and seals, this 31st day of August, in the year of our Lord one thousand eight hundred and three, to triplicates of this tenor and date. Done at Hoe-Buckin-too-Pa, the day and year above written, and in the twenty-seventh year of the independence of the United States.

James Wilkinson,	l. s.
Mingo Pooscoos, his x mark,	l. s.
Alatala Hooma, his x mark,	l. s.

Witnesses present :

Young Gains, *interpreter,*
Joseph Chambers, *United States' factor,*
John Bowyer, *capt. 2d U. States' regt.*

Acknowledgment by the Choctaw commissioners, of the receipt of certain specified articles as a compensation from the United States.

We, the commissioners of the Choctaw nation, duly appointed, and the chiefs of the said nation who reside on the Tombigbee river, next to Sintee Bogue, do acknowledge to have received from the United States of America, by the hands of brigadier general James Wilkinson, as a consideration in full for the confirmation of the above concession, the following articles, viz: fifteen pieces of strouds, three rifles, one hundred and fifty blankets, two hundred and fifty pounds of powder,

two hundred and fifty pounds of lead, one bridle, one man's saddle, and one black silk handkerchief.

Mingo Pooscoos, his x mark,	l. s.
Alatala Hooma, his x mark,	l. s.

Commissioners of the Choctaw nation.

Pio Mingo, his x mark,	l. s.
Pasa Mastubby Mingo, his x mark,	l. s.
Tappena Oakchia, his x mark,	l. s.
Tuskenung Cooche, his x mark,	l. s.
Cussoonuckchia, his x mark,	l. s.
Pushapia, his x mark,	l. s.

Chiefs residing on the Tombigbee near to St. Stephens.

Witnesses present :

Young Gains, *interpreter,*
Joseph Chambers, *United States' factor,*
John Bowyer, *capt. 2d U. States' regt.*

No. 5. A treaty of limits between the United States of America and the Choctaw nation of Indians. Treaty with the Choctaws.

Thomas Jefferson, president of the United States of America, by James Robertson, of Tennessee, and Silas Dinsmoor, of New Hampshire, agent of the United States to the Choctaws, commissioners plenipotentiary of the United States, on the one part, and the Mingos, chiefs, and warriors, of the Choctaw nation of Indians, in council assembled, on the other part, have entered into the following agreement, viz :

Art. 1. The Mingos, chiefs, and warriors, of the Choctaw nation of Indians, in behalf of themselves, and the said nation, do, by these presents, cede to the United States of America, all the lands to which they now have or ever had claim, lying to the right of the following lines; to say : Beginning at a branch of the Humechecto, where the same is intersected by the present Choctaw boundary, and also by the path leading from Natchez to the county of Washington, usually called McClarey's path, thence eastwardly along McClarey's path, to the east or left bank of Pearl river, thence on such a direct line as would touch the lower end of a bluff on the left bank of Chickasawhay river, the first above the Hiyoowanee towns, called Broken Bluff, to a point within four miles of the Broken Bluff, thence, in a direct line nearly parallel with the river, to a point whence an east line of four miles in length will intersect the river below the lowest settlement at present occupied and improved in the Hiyoowanee town, thence still east four miles, thence in a direct line nearly parallel with the river to a point on a line to be run from the lower end of the Broken Bluff to Faluktibunnee, on the Tombigbee river, four miles from the Broken Bluff, thence along the said line to Faluktibunnee, thence east to the boun-

The Choctaws cede all their lands lying to the right of the lines here described.

Reservation of
two miles
square.

Reservation of
3,120 acres.

The United
States re-
quested to
confirm the
latter reserve.

The United
States to pay
to the Choctaws
\$50,500;
viz :

\$48,000 to
pay traders
and for depredations.

\$2,500 to
John Pitch-
lynn.

The United
States to pay,
also, \$3,000
annually, in
goods.

\$500 to each
of the three
great medal
Mingos.

And \$150 an-
nuity to each
of them.

A tract of
land, not ex-
ceeding 1,500
acres, certified

dary between the Creeks and Choctaws on the ridge dividing the waters running into the Alabama from those running into Tombigbee, thence southwardly along the said ridge and boundary to the southern point of the Choctaw claim. Reserving a tract of two miles square, run on meridians and parallels, so as to include the houses and improvements in the town of Fuketcheepona, and reserving also a tract of five thousand one hundred and twenty acres, beginning at a post on the left bank of Tombigbee river opposite the lower end of Hatchatigbee Bluff, thence ascending the river four miles front and two back; one half for the use of Alzira, the other half for the use of Sophia, daughters of Samuel Mitchell, by Molly, a Choctaw woman. The latter reserve to be subject to the same laws and regulations as may be established in the circumjacent country; and the said Mingos of the Choctaws, request that the government of the United States may confirm the title of this reserve in the said Alzira and Sophia.

Art. 2. For and in consideration of the foregoing cession on the part of the Choctaw nation, and in full satisfaction for the same, the commissioners of the United States do hereby covenant and agree with the said nation, in behalf of the United States, that the said states shall pay to the said nation fifty thousand five hundred dollars, for the following purposes, to wit: Forty-eight thousand dollars to enable the Mingos to discharge the debt due to their merchants and traders; and also to pay for the depredations committed on stock and other property, by evil disposed persons of the said Choctaw nation; two thousand five hundred dollars to be paid to John Pitchlynn, to compensate him for certain losses sustained in the Choctaw country, and as a grateful testimonial of the nation's esteem. And the said states shall also pay annually to the said Choctaws, for the use of the nation, three thousand dollars, in such goods (at net cost of Philadelphia) as the Mingos may choose, they giving at least one year's notice of such choice.

Art. 3. The commissioners of the United States, on the part of the said states, engage to give to each of the three great medal Mingos, Pukshunubbee Mingo, Hoomastubbee, and Pooshamattaha, five hundred dollars, in consideration of past services in their nation, and also to pay to each of them an annuity of one hundred and fifty dollars during their continuance in office. It is perfectly understood, that neither of those great medal Mingos is to share any part of the general annuity of the nation.

Art. 4. The Mingos, chiefs, and warriors of the Choctaws, certify that a tract of land not exceeding fifteen hundred acres, situated between the Tombigbee river and Jackson's creek, the front or river line extending down the river from

a blazed white oak, standing on the left bank of the Tombigbee, near the head of the shoal, next above Hobukenloopa, and claimed by John McGrew, was, in fact, granted to the said McGrew by Opiomingo Hesnitta, and others, many years ago, and they respectfully request the government of the United States to establish the claim of the said McGrew to the said fifteen hundred acres.

Art. 5. The two contracting parties covenant and agree, that the boundary, as described in the second article,* shall be ascertained and plainly marked, in such way and manner as the president of the United States may direct, in the presence of three persons to be appointed by the said nation; one from each of the great medal districts, each of whom shall receive for this service two dollars per day during his actual attendance; and the Choctaws shall have due and seasonable notice of the place where, and time when, the operation shall commence.

Art. 6. The lease granted for establishments on the roads leading through the Choctaw country, is hereby confirmed in all its conditions; and, except in the alteration of boundary, nothing in this instrument shall affect or change any of the pre-existing obligations of the contracting parties.

Art. 7. This treaty shall take effect and become reciprocally obligatory, so soon as the same shall have been ratified by the president of the United States of America, by and with the advice and consent of the senate of the said United States.

Done on Mount Dexter, in Pooshapukanuk, in the Choctaw country, this sixteenth day of November, in the year of our Lord one thousand eight hundred and five, and of the independence of the United States of America the thirtieth.

COMMISSIONERS.

James Robertson,	1. s.
Silas Dinsmoor,	1. s.

GREAT MEDAL MINGOS.

Pukshunnubbee, his x mark,	1. s.
Mingo Hoomastubbee, his x mark,	1. s.
Pooshamattalia, his x mark,	1. s.

CHIEFS AND WARRIORS.

Ookchummee, his x mark,	1. s.
Tuskamiubbee, his x mark,	1. s.
James Perry, his x mark,	1. s.
Levi Perry, his x mark,	1. s.
Isaac Perry, his x mark,	1. s.
William Turnbull,	1. s.

The 1st art. is presumed to be meant. The 2d does not designate a boundary.

John Carnes, his x mark,	l. s.
Tooteehooma, his x mark,	l. s.
Hoosheehooma, his x mark,	l. s.
Tootuhooma, 2d. his x mark,	l. s.
George James, his x mark,	l. s.
Robert M'Clure, his x mark,	l. s.
Tuskeamingo, his x mark,	l. s.
Hattukubbechooluhta, his x mark,	l. s.
Fishoommastubbee, his x mark,	l. s.
Anoguaiah, his x mark,	l. s.
Lewis Lucas, his x mark,	l. s.
James Pitchlynn, his x mark,	l. s.
Par.shee Eenanhla, his x mark,	l. s.
Fansheehoomubbu, his x mark,	l. s.

Witnesses present at signing and sealing :

Thomas Augustine Claiborne, *secretary to the commissioners,*
 John M'Kee,
 Samuel Mitchell, *United States' agent to the Chickasaws,*
 William Colbert, *of the Chickasaws,* his x mark,
 Lewis Ward,
 Charles Juzan,
 Garrud E. Nelson,
 David Chote,
 Nathaniel Tolsom,
 Mdl. Mackey,
 Lewis Lefto,
 John Pitchlynn, *United States' interpreter,*
 Will. Tyrrell, *assistant interpreter.*

Treaty with the Choctaws. No. 6. A treaty of cession between the United States of America and the Choctaw nation of Indians.

James Madison, president of the United States of America, by general John Coffee, John Rhea, and John M'Kee, esquires, commissioners on the part of the United States, duly authorized for that purpose, on the one part, and the mingoes, leaders, captains, and warriors, of the Choctaw nation, in general council assembled, in behalf of themselves and the whole nation, on the other part, have entered into the following articles, which, when ratified by the president of the United States, with the advice and consent of the senate, shall be obligatory on both parties :

Cession of lands by the Choctaws, with the boundaries, &c.

Art. 1. The Choctaw nation, for the consideration hereafter mentioned, cede to the United States all their title and claim to lands lying east of the following boundary, beginning at the mouth of Ooktibbuha, the Chickasaw boundary, and running from thence down the Tombigby river, until it intersects the northern boundary of a cession made to the United States by the Choctaws, at Mount Dexter, on the 16th November, 1805. *

The U. States to pay an an-

Art. 2. In consideration of the foregoing cession, the United States engage to pay to the Choctaw nation the sum of six

* Ante, No. 5, of this chapter.

thousand dollars annually, for twenty years; they also agree to pay them in merchandise, to be delivered immediately on signing the present treaty, the sum of ten thousand dollars. nnuity of \$6000
for 20 years.

Done and executed in full and open council, at the Choctaw trading house, this twenty-fourth day of October, in the year of our Lord one thousand eight hundred and sixteen, and of the independence of the United States the forty-first.

John Coffee,
John Rhea,
John McKee,
Mushoolatubbee, his x mark,
Pooshamallaha, his x mark,
Pukshunnubbu, his x mark,
General Terror, his x mark,
Choctaw Eestannokee, his x mark,
General Humming Bird, his x mark,
Talking Warrior, his x mark,
David Folsom,
Bob Cole, his x mark,
Oofuppa, his x mark,
Hoopieeskitteenee, his x mark,
Hoopieemiko, his x mark,
Hoopieethoma, his x mark.

Witness.

Tho. H. Williams, *secretary to the commission*,
John Pitchlynn, *interpreter*,
Turner Broshear, *interpreter*,
M. Mackey, *interpreter*,
Silas Dinsmoor,
R. Chamberlin.

No. 7. A treaty of friendship, limits, and accommodation, between the United States of America and the Choctaw nation of Indians, begun and concluded at the treaty ground, in said nation, near Doak's Stand, on the Natchez road. Treaty with
the Choctaws,
near Doak's
Stand, 18th
Oct. 1820.

PREAMBLE.

Whereas it is an important object with the president of the United States, to promote the civilization of the Choctaw Indians, by the establishment of schools amongst them; and to perpetuate them as a nation, by exchanging, for a small part of their land here, a country beyond the Mississippi river, where all, who live by hunting and will not work, may be collected and settled together.—And whereas it is desirable to the state of Mississippi, to obtain a small part of the land belonging to said nation; for the mutual accommodation of the parties, and for securing the happiness and protection of the whole Choctaw nation, as well as preserving that harmony and friendship which so happily subsists between them and the United States, James Monroe, president of the United States of America, by An-

Objects of the
treaty.

drew Jackson, of the state of Tennessee, major-general in the army of the United States, and general Thomas Hinds, of the state of Mississippi, commissioners plenipotentiary of the United States, on the one part, and the mingoes, head men, and warriors, of the Choctaw nation, in full council assembled, on the other part, have freely and voluntarily entered into the following articles, viz :

The Choctaws
cede land.

Art. 1. To enable the president of the United States to carry into effect the above grand and humane objects, the mingoes, head men, and warriors, of the Choctaw nation, in full council assembled, in behalf of themselves and the said nation, do, by these presents, cede to the United States of America, all the land lying and being within the boundaries following, to wit:—Beginning on the Choctaw boundary, east of Pearl river, at a point due south of the White Oak spring, on the old Indian path ; thence north to said spring ; thence northwardly to a black oak, standing on the Natchez road, about forty poles eastwardly from Doak's fence, marked A. J. and blazed, with two large pines and a black oak standing near thereto, and marked as pointers ; thence a straight line to the head of Black Creek, or Bouge Loosa ; thence down Black Creek or Bouge Loosa to a small lake ; thence a direct course, so as to strike the Mississippi one mile below the mouth of the Arkansas river ; thence down the Mississippi to our boundary ; thence round and along the same to the beginning.

Boundaries of
the cession.

The U. States
cede a tract of
country, west
of the Missis-
sippi.

Art. 2. For and in consideration of the foregoing cession, on the part of the Choctaw nation, and in part satisfaction for the same, the commissioners of the United States, in behalf of said states, do hereby cede to said nation, a tract of country west of the Mississippi river, situate between the Arkansas and Red River, and bounded as follows:—Beginning on the Arkansas river, where the lower boundary line of the Cherokees strikes the same ; thence up the Arkansas to the Canadian Fork, and up the same to its source ; thence due south to the Red River ; thence down Red River, three miles below the mouth of Little River, which empties itself into Red River on the north side ; thence a direct line to the beginning.

Boundaries of
the cession.

Commission-
ers to ascertain
the bounda-
ries.

Art. 3. To prevent any dispute upon the subject of the boundaries mentioned in the 1st and 2d articles, it is hereby stipulated between the parties, that the same shall be ascertained and distinctly marked by a commissioner, or commissioners, to be appointed by the United States, accompanied by such person as the Choctaw nation may select ; said nation having thirty days previous notice of the time and place at which the operation will commence. The person so chosen by the Choctaws, shall act as a pilot or guide, for which the United States will pay him two dollars per day, whilst actually engaged in the performance of that duty.

A Choctaw
guide, at \$2
per day.

Art. 4. The boundaries hereby established between the Choctaw Indians and the United States, on this side of the Mississippi river, shall remain without alteration until the period at which said nation shall become so civilized and enlightened as to be made citizens of the United States, and congress shall lay off a limited parcel of land for the benefit of each family or individual in the nation.

Boundaries east of the Mississippi to remain, until, &c.

Art. 5. For the purpose of aiding and assisting the poor Indians, who wish to remove to the country hereby ceded on the part of the United States, and to enable them to do well and support their families, the commissioners of the United States engage, in behalf of said states, to give to each warrior a blanket, kettle, rifle gun, bullet moulds and nippers, and ammunition sufficient for hunting and defence, for one year. Said warrior shall also be supplied with corn to support him and his family, for the same period, and whilst travelling to the country above ceded to the Choctaw nation.

A blanket, kettle, rifle gun, &c. to each warrior removing, &c. Corn to each warrior, for his family, &c.

Art. 6. The commissioners of the United States further covenant and agree, on the part of the said states, that an agent shall be appointed, in due time, for the benefit of the Choctaw Indians who may be permanently settled in the country ceded to them beyond the Mississippi river, and, at a convenient period, a factor shall be sent there with goods, to supply their wants. A blacksmith shall also be settled amongst them, at a point most convenient to the population; and a faithful person appointed, whose duty it shall be to use every reasonable exertion to collect all the wandering Indians belonging to the Choctaw nation, upon the land hereby provided for their permanent settlement.

An agent for the Choctaws, beyond the Mississippi; and a factor.

A blacksmith, and a person to collect wandering Indians, &c.

Art. 7. Out of the lands ceded by the Choctaw nation to the United States, the commissioners aforesaid, in behalf of said states, further covenant and agree, that fifty-four sections of one mile square shall be laid out in good land, by the president of the United States, and sold, for the purpose of raising a fund, to be applied to the support of the Choctaw schools, on both sides of the Mississippi river. Three-fourths of said fund shall be appropriated for the benefit of the schools here; and the remaining fourth for the establishment of one or more beyond the Mississippi; the whole to be placed in the hands of the president of the United States, and to be applied by him, expressly and exclusively, to this valuable object.

54 sections of land to be sold for support of the Choctaw schools,

To be applied by the president.

Art. 8. To remove any discontent which may have arisen in the Choctaw nation, in consequence of six thousand dollars of their annuity having been appropriated annually, for sixteen years, by some of the chiefs, for the support of their schools, the commissioners of the United States oblige themselves, on the part of said states, to set apart an additional tract of good land, for raising a fund equal to that given by the said

An additional tract of land, for raising a fund for the nation, &c.

Indians who are deaf, dumb, &c. to be first supplied.

chiefs, so that the whole of the annuity may remain in the nation, and be divided amongst them. And in order that exact justice may be done to the poor and distressed of said nation, it shall be the duty of the agent to see that the wants of every deaf, dumb, blind, and distressed Indian, shall be first supplied out of said annuity, and the balance equally distributed amongst every individual of said nation

A tract of one mile square, of the lands ceded, to such as remain, &c. And full value to be paid to those who remove within a year.

Art. 9. All those who have separate settlements, and fall within the limits of the land ceded by the Choctaw nation to the United States, and who desire to remain where they now reside, shall be secured in a tract or parcel of land one mile square, to include their improvements. Any one who prefers removing, if he does so within one year from the date of this treaty, shall be paid their full value, to be ascertained by two persons, to be appointed by the president of the United States.

An equivalent to such as have valuable buildings, if they remove, &c.

Art. 10. As there are some who have valuable buildings on the roads and elsewhere upon the lands hereby ceded, should they remove, it is further agreed by the aforesaid commissioners, in behalf of the United States, that the inconvenience of doing so shall be considered, and such allowance made as will amount to an equivalent. For this purpose, there shall be paid to the Mingo, Puckshenubbe, five hundred dollars; to Harrison, two hundred dollars; to captain Cobb, two hundred dollars; to William Hays, two hundred dollars; to O'Gleno, two hundred dollars; and to all others who have comfortable houses, a compensation in the same proportion.

Choctaw warriors to be paid for services in the campaign to Pensacola, over and above, &c.

Art. 11. It is also provided by the commissioners of the United States, and they agree in behalf of said states, that those Choctaw chiefs and warriors, who have not received compensation for their services during the campaign to Pensacola, in the late war, shall be paid whatever is due them over and above the value of the blanket, shirt, flap, and leggins, which have been delivered to them.

The agent may seize and confiscate whiskey, unless introduced by permit, &c.

Art. 12. In order to promote industry and sobriety amongst all classes of the red people, in this nation, but particularly the poor, it is further provided by the parties, that the agent appointed to reside here, shall be, and he is hereby, vested with full power to seize and confiscate all the whiskey which may be introduced into said nation, except that used at public stands, or brought in by the permit of the agent, or the principal chiefs of the three districts.

\$200 dolls. annually, for each district, to raise a corps of light-horse, to keep good order, &c.

Art. 13. To enable the Mingoes, chiefs, and head men, of the Choctaw nation, to raise and organize a corps of light-horse, consisting of ten in each district, so that good order may be maintained, and that all men, both white and red, may be compelled to pay their just debts, it is stipulated and agreed, that the sum of two hundred dollars shall be appropriated by the United States, for each district, annually, and placed in the

hands of the agent, to pay the expenses incurred in raising and establishing said corps ; which is to act as executive officers, in maintaining good order, and compelling bad men to remove from the nation, who are not authorized to live in it by a regular permit from the agent.

Art. 14. Whereas the father of the beloved chief Mushulatubbee, of the lower towns, for and during his life, did receive from the United States the sum of one hundred and fifty dollars, annually ; it is hereby stipulated, that his son and successor Mushulatubbee, shall annually be paid the same amount during his natural life, to commence from the ratification of this treaty.

Mushulatubbee to be paid 150 dollars per annum for life.

Art. 15. The peace and harmony subsisting between the Choctaw nation of Indians and the United States, are hereby renewed, continued, and declared to be perpetual.

Peace and harmony declared to be perpetual.

Art. 16. These articles shall take effect, and become obligatory on the contracting parties, so soon as the same shall be ratified by the president, by and with the advice and consent of the senate of the United States.

In testimony whereof, the commissioners plenipotentiary of the United States and the Mingoes, head men, and warriors, of the Choctaw nation, have hereunto subscribed their names and affixed their seals, at the place above written, this eighteenth day of October, in the year of our Lord one thousand eight hundred and twenty, and of the independence of the United States the forty-fifth.

ANDREW JACKSON, }
THOMAS HINDS, } *Commissioners.*

MEDAL MINGOES.

Puckshenubbee, his x mark,
Pooshawattaha, his x mark,
Mushulatubbee, his x mark.

CHIEFS AND WARRIORS.

General Humming Bird, his x mark,
James Hanizon, his x mark,
Talking Warrior, his x mark,
Little Leader, his x mark,
Captain Bob Cole, his x mark,
Red Fort, or Oolatahooma, his x mark,
Choctawistonocka, his x mark,
Oglano, his x mark,
Chuleta, his x mark,
John Frazier, his x mark,
Oakchumma, his x mark,
Nockestona, his x mark,
Chapahooma, his x mark,
Onanchahabee, his x mark,
Copatanathoco, his x mark,
Atahobia, his x mark,
Opehoola, his x mark,
Chetantanchahubbee, his x mark.

Captain Lapala, his x mark,
 Panchahabbee, his x mark,
 Chuckahicka, his x mark,
 Tallahomia, his x mark,
 Totapia, his x mark,
 Hocktanlubbee, his x mark,
 Tapawanchahubbee, his x mark,
 Capt. Red Bird, his x mark,
 Capt. Jerry Carney, his x mark,
 Chapanchahabbee, his x mark,
 Tunnupnuia, his x mark,
 Ponhoopia, his x mark,
 Ticbehacubbee, his x mark,
 Suttacanchihubbee, his x mark,
 Capt. William Beams, his x mark,
 Captain James Pitchlynn,
 Capt. James Garland, his x mark,
 Tapanahomia, his x mark,
 Thlahomia, his x mark,
 Tishotata, his x mark,
 Inoquia, his x mark,
 Ultetoncubbee, his x mark,
 Palochubbee, his x mark,
 Jopannu, his x mark,
 Captain Joel H. Vail,
 Tapanastonahamia, his x mark,
 Hoopihomia, his x mark,
 Chelutahomia, his x mark,
 Tuskiamingo, his x mark,
 Young Captain, his x mark,
 Hakatubbee, his x mark,
 Tishoo, his x mark,
 Capt. Bobb, his x mark,
 Hopeanchahabee, his x mark,
 Capt. Bradley, his x mark,
 Capt. Daniel M'Curtain, his x mark,
 Mucklisahopia, his x mark,
 Nuckpullachubbee, his x mark,
 George Turnbull,
 Captain Thomas M'Curtain, his x mark.
 Oakelonahoomia, his x mark,
 Capt. John Cairus, his x mark,
 Topenastonahooma, his x mark,
 Holatohamia, his x mark,
 Col. Boyer, his x mark,
 Holantachanshalubbee, his x mark,
 Chuckahabbee, his x mark,
 Washaschahopia, his x mark,
 Chatamakaha, his x mark,
 Hapeahomia, his x mark,
 William Hay, his x mark,
 Capt. Samuel Cobb, his x mark,
 Lewis Brashears, his x mark,
 Muckelehamia, his x mark,
 Capt. Sam. Magee, his x mark,
 Ticbehamia, his x mark,
 Doctor Red Bird, his x mark,
 Oontoola, his x mark,
 Pooshonshabbee, his x mark,
 Casania, his x mark,
 Joseph Nelson, his x mark,
 Unahubbee, his x mark,

Red Duck, his x mark,
 Muttahubbee, his x mark,
 Capt. Ihokahatubbee, his x mark,
 Alex. Hamilton,
 Capt. Red Knife, his x mark,
 Shapahroma, his x mark,
 Capt. Tennenpoocha, his x mark,
 Mechamiabbee, his x mark,
 Tuskanohamia, his x mark,
 Tookatubbetusea, his x mark,
 William Frye, his x mark,
 Greenwood Leflore, his x mark,
 Archibald MaGee, his x mark,
 Capt. Ben Burris, his x mark,
 Tusconohicca, his x mark,
 Capt. Lewis Perry, his x mark,
 Henekachubbee, his x mark,
 Tussashamia, his x mark,
 Capt. Charles Durant, his x mark,
 Piare Durant, his x mark.

Witnesses present at sealing and signing:

Saml. R. Overton, *secretary to the commission*,
 Eden Brashears,
 J. C. Bronaugh, *asst. surg. gen. S. D. U. S. army*.
 H. D. Downs,
 Wm. F. Gangent,
 Wm. M. Graham, *1st lieut. corps of artillery*,
 Andrew J. Donalson, *bret. 2d lt. corps of eng. and aid-de-camp to gen. Jackson*.
 P. A. Vandorn,
 John H. Esty,
 John Pitchlynn, *U. S. interpreter*,
 M. Mackey, *U. S. interpreter*,
 Edmund Falsome, *interpreter, X*,
 James Hughes,
 Geo. Fisher,
 Jas. Jackson, jr.

No. 8. Articles of a convention made between John C. Calhoun, Secretary of Treaty with
 War, being specially authorized therefor by the president of the United States, and the undersigned chiefs and head men of the Choctaw nation of
 Indians, duly authorized and empowered by said nation, at the city of
 Washington, on the twentieth day of January, in the year of our Lord one
 thousand eight hundred and twenty-five.

Whereas, a treaty of friendship, and limits, and accommo-
 dation, having been entered into at Doake's Stand, on the eigh-
 teenth of October, in the year one thousand eight hundred
 and twenty, between Andrew Jackson and Thomas Hinds,
 commissioners on the part of the United States, and the chiefs
 and warriors of the Choctaw nation of Indians; and whereas
 the second article of the treaty aforesaid provides for a cession
 of lands, west of the Mississippi, to the Choctaw nation, in
 part satisfaction for lands ceded by said nation to the United
 States, according to the first article of said treaty: And where-
 as, it being ascertained that the cession aforesaid embraces a

Reference to
 the treaty of
 1820.
 (See ante, Nos
 7 of this chap.)

large number of settlers, citizens of the United States; and it being the desire of the president of the United States to obviate all difficulties resulting therefrom, and also, to adjust other matters in which both the United States and the Choctaw nation are interested: the following articles have been agreed upon, and concluded, between John C. Calhoun, Secretary of War, specially authorized therefor by the president of the United States, on the one part, and the undersigned delegates of the Choctaw nation, on the other part:

Funds ceded
to U. States.

Art. 1. The Choctaw nation do hereby cede to the United States all that portion of the land ceded to them by the second article of the treaty of Doake Stand, as aforesaid, lying east of a line beginning on the Arkansas, one hundred paces east of fort Smith, and running thence, due south, to Red River: it being understood that this line shall constitute, and remain, the permanent boundary between the United States and the Choctaws; and the United States agreeing to remove such citizens as may be settled on the west side, to the east side of said line, and prevent future settlements from being made on the west thereof.

\$6,000 to be
paid them an-
nually.

Art. 2. In consideration of the cession aforesaid, the United States do hereby agree to pay the said Choctaw nation the sum of six thousand dollars, annually, forever; it being agreed that the said sum of six thousand dollars shall be annually applied, for the term of twenty years, under the direction of the president of the United States, to the support of schools in said nation, and extending to it the benefits of instruction in the mechanic and ordinary arts of life; when, at the expiration of twenty years, it is agreed that the said annuity may be vested in stocks, or otherwise disposed of, or continued, at the option of the Choctaw nation.

\$6,000 to be
paid them an-
nually for six-
teen years,
and to avoid
delay and ex-
pense.

Art. 3. The eighth article of the treaty aforesaid having provided that an appropriation of lands shall be made for the purpose of raising six thousand dollars a year for sixteen years, for the use of the Choctaw nation; and it being desirable to avoid the delay and expense attending the survey and sale of said land; the United States do hereby agree to pay the Choctaw nation, in lieu thereof, the sum of six thousand dollars, annually, for sixteen years, to commence with the present year. And the United States further stipulate and agree to take immediate measures to survey and bring into market, and sell, the fifty-four sections of land set apart by the seventh article of the treaty aforesaid, and apply the proceeds in the manner provided by the said article.

Provision
made for all
those Choctaws
having
separate set-

Art. 4. It is provided by the ninth section of the treaty aforesaid, that all those of the Choctaw nation who have separate settlements, and fall within the limits of the land ceded by said nation to the United States, and desire to remain where

they now reside, shall be secured in a tract or parcel of land, one mile square, to include their improvements. It is, therefore, hereby agreed, that all who have reservations in conformity to said stipulation, shall have power, with the consent of the president of the United States, to sell and convey the same in fee simple. It is further agreed, on the part of the United States, that those Choctaws, not exceeding four in number, who applied for reservations, and received the recommendation of the commissioners, as per annexed copy of said recommendation, shall have the privilege, and the right is hereby given to them, to select, each of them, a portion of land, not exceeding a mile square, any where within the limits of the cession of 1820, when the land is not occupied or disposed of by the United States; and the right to sell and convey the same, with the consent of the president, in fee simple, is hereby granted.

Art. 5. There being a debt due by individuals of the Choctaw nation to the late United States' trading house on the Tombigby, the United States hereby agree to relinquish the same; the delegation, on the part of their nation, agreeing to relinquish their claim upon the United States, to send a factor with goods to supply the wants of the Choctaws west of the Mississippi, as provided for by the 6th article of the treaty aforesaid.

The debt due by individuals of the Choctaw nation to the late United States' trading house on the Tombigby, relinquished.

Art. 6. The Choctaw nation having a claim upon the United States, for services rendered in the Pensacola campaign, and for which it is stipulated, in the 11th article of the treaty aforesaid, that payment shall be made, but which has been delayed for want of the proper vouchers, which it has been found, as yet, impossible to obtain; the United States, to obviate the inconvenience of further delay, and to render justice to the Choctaw warriors for their services in that campaign, do hereby agree upon an equitable settlement of the same, and fix the sum at fourteen thousand nine hundred and seventy-two dollars fifty cents; which, from the muster rolls, and other evidence in the possession of the third auditor, appears to be about the probable amount due, for the services aforesaid, and which sum shall be immediately paid to the delegation, to be distributed by them to the chiefs and warriors of their nation, who served in the campaign aforesaid, as may appear to them to be just.

14,972 dollars and 50 cents to be paid them for services rendered in the Pensacola campaign.

Art. 7. It is further agreed, that the fourth article of the treaty aforesaid, shall be so modified, as that the congress of the United States shall not exercise the power of apportioning the lands, for the benefit of each family, or individual, of the Choctaw nation, and of bringing them under the laws of the United States, but with the consent of the Choctaw nation.

Fourth article of the aforesaid treaty to be modified.

\$2,000 to be distributed among them to satisfy claims due them by the U. States.

Art. 8. It appearing that the Choctaws have various claims against citizens of the United States, for spoliations of various kinds, but which they have not been able to support by the testimony of white men, as they were led to believe was necessary, the United States, in order to a final settlement of all such claims, do hereby agree to pay to the Choctaw delegation, the sum of two thousand dollars, to be distributed by them in such way, among the claimants, as they may deem equitable. It being understood that this provision is not to affect such claims as may be properly authenticated, according to the provision of the act of 1802.

Art. 9. It is further agreed that, immediately upon the ratification of this treaty, or as soon thereafter as may be, an agent shall be appointed for the Choctaws west of the Mississippi, and a blacksmith be settled among them, in conformity with the stipulation contained in the 6th article of the treaty of 1820.

Robert Cole to receive a medal.

Art. 10. The Chief, Puck-she-nubbee, one of the members of the delegation, having died on his journey to see the president, and Robert Cole being recommended by the delegation as his successor, it is hereby agreed, that the said Robert Cole shall receive the medal which appertains to the office of chief, and, also, an annuity from the United States, of one hundred and fifty dollars a year, during his natural life, as was received by his predecessor.

The friendship existing with said nation perpetuated.

Art. 11. The friendship heretofore existing between the United States and the Choctaw nation, is hereby renewed and perpetuated.

To take effect when ratified.

Art. 12. These articles shall take effect, and become obligatory on the contracting parties, so soon as the same shall be ratified by the president, by and with the advice and consent of the senate of the United States.

In testimony whereof, the said John C. Calhoun, and the said delegates of the Choctaw nation, have hereunto set their hands, at the city of Washington, the twentieth day of January, one thousand eight hundred and twenty-five.

J. C. CALHOUN.

Mooshulatubbee, his x mark,
Robert Cole, his x mark,
Daniel McCurtain, his x mark,
Talking Warrior, his x mark,
Red Fort, his x mark,
Nittuckachee, his x mark,
David Folsom, his x mark,
J. L. McDonald.

In presence of

Thos. L. McKenney,
Hezekiah Miller,
John Pitchlynn, *United States' interpreter*

CHAPTER VI.

Treaties between the United States of America, and the Chickasaw nation of Indians, concluded at different periods, up to the year 1814.

No. 1. Articles of a treaty, concluded at Hopewell, on the Keowee, near Seneca Old town, between Benjamin Hawkins, Andrew Pickens, and Joseph Martin, commissioners plenipotentiary of the United States of America, of the one part; and Pioningo, head warrior and first minister of the Chickasaw nation; Mingatushka, one of the leading chiefs; and Latopoia, first beloved man of the said nation, commissioners plenipotentiary of all the Chickasaws, of the other part.

Treaty with
the Chicka-
saws.

The commissioners plenipotentiary of the United States of America, give peace to the Chickasaw nation, and receive them into the favor and protection of the said states, on the following conditions:

The United
States give
peace.

Art. 1. The commissioners plenipotentiary of the Chickasaw nation, shall restore all the prisoners, citizens of the United States, to their entire liberty, if any there be in the Chickasaw nation. They shall also restore all the negroes, and all other property taken during the late war, from the citizens, if any there be in the Chickasaw nation, to such person, and at such time and place, as the commissioners of the United States of America shall appoint.

Prisoners, ne-
groes, and
other proper-
ty, to be re-
stored by the
Chickasaws.

Art. 2. The commissioners plenipotentiary of the Chickasaws, do hereby acknowledge the tribes and the towns of the Chickasaw nation to be under the protection of the United States of America, and of no other sovereign whosoever.

The Chicka-
saws under the
protection of
the United
States.

Art. 3. The boundary of the lands hereby allotted to the Chickasaw nation to live and hunt on, within the limits of the United States of America, is, and shall be the following, viz. Beginning on the ridge that divides the waters running into the Cumberland, from those running into the Tennessee, at a point in a line to be run northeast, which shall strike the Tennessee, at the mouth of Duck river; thence running westerly along the said ridge, till it shall strike the Ohio; thence down the southern banks thereof to the Mississippi; thence down the same, to the Choctaw line of Natchez district; thence along the said line, or the line of the district, eastwardly, as far as the Chickasaws claimed, and lived and hunted on, the twenty-ninth of November, one thousand seven hundred and eighty-two. Thence the said boundary, eastwardly, shall be the lands allotted to the Choctaws and Cherokees to live and hunt on, and the lands at present in the possession of the Creeks; saving and reserving for the establishment of a trading post, a tract or parcel of land to be laid out at the lower post of the Muscle Shoals, at the mouth of Ocochappo, in a circle, the diameter of which shall be five miles on the said river, which post, and the lands

Boundary of
the lands al-
lotted to the
Chickasaws.

Reservation
for a trading
post at the
Muscle
Shoals.

annexed thereto, shall be to the use and under the government of the United States of America.

Citizens settling on Chickasaw lands, outlawed.

Art. 4. If any citizen of the United States, or other person, not being an Indian, shall attempt to settle on any of the lands hereby allotted to the Chickasaws to live and hunt on, such person shall forfeit the protection of the United States of America; and the Chickasaws may punish him or not, as they please.

Chickasaws to deliver up robbers, murderers, &c. for punishment.

Art. 5. If any Indian or Indians, or persons residing among them, or who shall take refuge in their nation, shall commit a robbery or murder, or other capital crime, on any citizen of the United States, or person under their protection, the tribe to which such offender or offenders may belong, or the nation, shall be bound to deliver him or them up to be punished according to the ordinances of the United States in congress assembled: provided, that the punishment shall not be greater than if the robbery or murder, or other capital crime, had been committed by a citizen on a citizen.

Punishment not to exceed that of a citizen.

The robbing or murdering a Chickasaw, punished the same as if a citizen.

Art. 6. If any citizen of the United States of America, or person under their protection, shall commit a robbery or murder, or other capital crime, on any Indian, such offender or offenders shall be punished in the same manner as if the robbery or murder, or other capital crime, had been committed on a citizen of the United States of America; and the punishment shall be in presence of some of the Chickasaws if any will attend at the time and place, and that they may have an opportunity so to do, due notice, if practicable, of such intended punishment, shall be sent to some one of the tribes.

Chickasaws may attend the punishment.

Retaliation for private injuries, prohibited.

Art. 7. It is understood that the punishment of the innocent, under the idea of retaliation, is unjust, and shall not be practised on either side, except where there is a manifest violation of this treaty; and then it shall be preceded, first by a demand of justice, and if refused, then by a declaration of hostilities.

Congress to regulate the Chickasaw trade.

Art. 8. For the benefit and comfort of the Indians, and for the prevention of injuries or oppressions on the part of the citizens or Indians, the United States in congress assembled shall have the sole and exclusive right of regulating the trade with the Indians, and managing all their affairs in such manner as they think proper.

Temporary free trade with the Chickasaw towns.

Art. 9. Until the pleasure of congress be known, respecting the eighth article, all traders, citizens of the United States, shall have liberty to go to any of the tribes or towns of the Chickasaws to trade with them, and they shall be protected in their persons and property, and kindly treated.

The Chickasaws to give notice of hostile designs.

Art. 10. The said Indians shall give notice to the citizens of the United States of America, of any designs which they may know or suspect to be formed in any neighboring tribe, or by any person whosoever, against the peace, trade, or interest of the United States of America.

Art. 11. The hatchet shall be forever buried, and the peace given by the United States of America, and friendship re-established between the said states on the one part, and the Chickasaw nation on the other part, shall be universal; and the contracting parties shall use their utmost endeavors to maintain the peace given as aforesaid, and friendship re-established.

The hatchet
forever buried,
and peace
universal.

In witness of all and every thing herein contained, between the said states and Chickasaws, we, their underwritten commissioners, by virtue of our full powers, have signed this definitive treaty, and have caused our seals to be hereunto affixed.

Done at Hopewell, on the Keowee, this tenth day of January, in the year of our Lord one thousand seven hundred and eighty-six.

Benjamin Hawkins,	l. s.
Andw. Pickens,	l. s.
Jos. Martin,	l. s.
Piomingo, his x mark,	l. s.
Mingatushka, his x mark,	l. s.
Latopola, his x mark,	l. s.

Witness

Wm. Blount,
Wm. Hazard,
Sam. Taylor,
James Cole, sworn interpreter.

No. 2. A treaty of reciprocal advantages and mutual convenience, between the United States of America and the Chickasaws. Treaty with the Chickasaws.

The president of the United States of America, by James Wilkinson, brigadier general in the service of the United States, Benjamin Hawkins, of North-Carolina, and Andrew Pickens, of South-Carolina, commissioners of the United States, who are vested with full powers, and the Mingo, principal men, and warriors, of the Chickasaw nation, representing the said nation, have agreed to the following articles:

Art. 1. The Mingo, principal men, and warriors, of the Chickasaw nation of Indians, give leave and permission to the president of the United States of America, to lay out, open, and make, a convenient wagon road through their land between the settlements of Mero district, in the state of Tennessee, and those of Natchez, in the Mississippi territory, in such way and manner as he may deem proper; and the same shall be a highway for the citizens of the United States, and the Chickasaws.

The Chickasaws allow a road to be opened between the settlements of Mero and those of Natchez.

The Chickasaws shall appoint two discreet men to serve as assistants, guides, or pilots, during the time of laying out and opening the road, under the direction of the officer charged with that duty, who shall have a reasonable compensation for their service: provided always, that the necessary ferries over

Chickasaw assistants, &c.

Ferries to be the property

of the Chickasaws.

The United States give \$700 worth of goods to the Chickasaws.

The president to take measures to preserve the rights of the Chickasaws.

1st art. may be carried into immediate effect.

This treaty effective as soon as ratified.

the water courses, crossed by the said road, shall be held and deemed to be the property of the Chickasaw nation.

Art. 2. The commissioners of the United States give to the Mingo of the Chickasaws, and the deputation of that nation, goods to the value of seven hundred dollars, to compensate him and them, and their attendants, for the expense and inconvenience they may have sustained by their respectful and friendly attention to the president of the United States of America, and to the request made to them in his name, to permit the opening of the road. And as the persons, towns, villages, lands, hunting grounds, and other rights and property of the Chickasaws, as set forth in the treaties or stipulations heretofore entered into between the contracting parties, more especially in and by a certificate of the president of the United States of America, under their seal of the first of July, 1794, are in the peace and under the protection of the United States, the commissioners of the United States do hereby further agree, that the president of the United States of America shall take such measures, from time to time, as he may deem proper, to assist the Chickasaws to preserve entire all their rights against the encroachments of unjust neighbors, of which he shall be the judge; and also to preserve and perpetuate friendship and brotherhood between the white people and the Chickasaws.

Art. 3. The commissioners of the United States may, if they deem it advisable, proceed immediately to carry the first article into operation: * and the treaty shall take effect and be obligatory on the contracting parties, as soon as the same shall have been ratified by the president of the United States of America, by and with the advice and consent of the senate of the United States.

In testimony whereof, we, the plenipotentiaries, have hereunto subscribed our names and affixed our seals, at Chickasaw Bluffs, the twenty-fourth of October, 1801.

James Wilkinson, <i>brig. genl.</i>	l. s.
Benjamin Hawkins,	l. s.
Andw. Pickens,	l. s.
Chinmimbe Mingo, his x mark,	l. s.
Immuttauhaw, his x mark,	l. s.
Chumaube, his x mark,	l. s.
George Colbert, his x mark,	l. s.
William M'Gillivray, his x mark,	l. s.
Opiehoomuh, his x mark,	l. s.
Olohtohopoie, his x mark,	l. s.
Minkemattauhau, his x mark,	l. s.
Tuskloopoie, his x mark,	l. s.
William Glover, his x mark,	l. s.
Thomas Brown, his x mark,	l. s.
William Colbert, W. C.	l. s.

* To make the road provided for by the 1st article of this treaty, which is here referred to.

Mooklushopoie, his x mark,	l. s.
Opoicolaughtau, his x mark,	l. s.
Teschoolauhtau, his x mark,	l. s.
Teschoolauptau, his x mark,	l. s.
James Underwood, his x mark,	l. s.

Samuel Mitchell, *agent to the Chickasaws*,
 Malcolm M'Gee, his x signature, *interpreter to the Chickasaws*,
 William R. Bootes, *capt. 3d regt. and aid de camp*,
 J. B. Walback, *lieutenant and aid de camp*,
 Jn. Wilson, *lieut. 3d regiment*.

No. 3. Articles of arrangement made and concluded in the Chickasaw coun- Treaty with
 try, between James Robertson and Silas Dinsmoor, commissioners of the the Chicka-
 United States, of the one part, and the Mingo, chiefs, and warriors, of the saws.
 Chickasaw nation of Indians, on the other part.

Art. 1. Whereas the Chickasaw nation of Indians have The Chicka-
 been for some time embarrassed by heavy debts due to their saws embar-
 merchants and traders, and being destitute of funds to effect im- rassed by
 portant improvements in their country, they have agreed and heavy debts.
 do hereby agree to cede to the United States, and forever quit They cede
 claim to the tract of country included within the following lands.
 bounds, to wit: beginning on the left bank of Ohio, at the Boundary of
 point where the present Indian boundary adjoins the same, the lands ced-
 thence down the left bank of Ohio to the Tennessee river, ed.
 thence up the main channel of the Tennessee river to the mouth
 of Duck river; thence up the left bank of Duck river to the
 Columbian highway, or road leading from Nashville to Natch-
 ez, thence along the said road to the ridge dividing the waters
 running into Duck river from those running into Buffalo river,
 thence eastwardly along the said ridge to the great ridge di-
 viding the waters running into the main Tennessee river from
 those running into Buffalo river near the main source of Buffa-
 lo river, thence in a direct line to the Great Tennessee River
 near the Chickasaw Old Fields, or eastern point of the Chicka-
 saw claim, on that river; thence northwardly to the great
 ridge dividing the waters running into the Tennessee from
 those running into Cumberland river, so as to include all the
 waters running into Elk river, thence along the top of said
 ridge to the place of beginning: reserving a tract of one mile
 square adjoining to, and below the mouth of Duck river, on Reservation
 the Tennessee, for the use of the chief O Koy, or Lishmas- for O Koy.
 tubbee.

Art. 2. The United States on their part, and in considera- The United
 tion of the above cession, agree to make the following pay- States to pay
 ments, to wit: twenty thousand dollars for the use of the na- \$20,000.
 tion at large, and for the payment of the debts due to their \$1,000 to
 merchants and traders; and to George Colbert and O Koy two George Col-
 thousand dollars, that is, to each one thousand dollars. This bert, and
 sum is granted to them at the request of the national council, \$1,000 to
 O Koy,

Annuity of
\$100 to Chin-
nubbee Mingo.

for services rendered their nation, and is to be subject to their individual order, witnessed by the resident agent; also to Chin-nubbee Mingo, the king of the nation, an annuity of one hundred dollars during his natural life, granted as a testimony of his personal worth and friendly disposition. All the above payments are to be made in specie.

The boundary
described in
the 1st art. of
this treaty to
be marked by
commission-
ers.

Art. 3. In order to preclude forever all disputes relative to the boundary mentioned in the first section, it is hereby stipulated, that the same shall be ascertained and marked by a commissioner or commissioners on the part of the United States, accompanied by such person as the Chickasaws may choose, so soon as the Chickasaws shall have thirty days' notice of the time and place at which the operation is to commence: and the United States will pay the person appointed on the part of the Chickasaws two dollars per day, during his actual attendance on that service.

No settlement
by citizens, on
part of the
lands ceded,
for three
years.

Art. 4. It is hereby agreed on the part of the United States, that from and after the ratification of these articles, no settlement shall be made by any citizen, or permitted by the government of the United States, on that part of the present cession included between the present Indian boundary and the Tennessee, and between the Ohio and a line drawn due north from the mouth of Buffalo to the ridge dividing the waters of Cumberland from those of the Tennessee river, to the term of three years.

These arti-
cles, when
ratified, to be
permanent ad-
ditions. Ante,
Nos. 1, and 2,
of this chap.

Art. 5. The article now stipulated, will be considered as permanent additions to the treaties now in force between the contracting parties, as soon as they shall have been ratified by the president of the United States of America, by and with the advice and consent of the senate of the said United States.

In witness of all and every thing herein determined, the parties have hereunto interchangeably set their hands and seals, in the Chickasaw country, this twenty-third day of July, in the year of our Lord one thousand eight hundred and five, and of the independence of the United States of America the thirtieth.

COMMISSIONERS.

James Robertson,	l. s.
Silas Dinsmoor,	l. s.

CHIEFS AND WARRIORS.

Chenubbee Mingo, the king, his x mark,	l. s.
George Colbert, his x mark,	l. s.
O Koy, his x mark,	l. s.
Tiphu Mashtubbee, his x mark,	l. s.
Choomubbee, his x mark,	l. s.
Mingó Mattaha, his x mark,	l. s.
E. Mattaha Meko, his x mark,	l. s.
Wm M ^o Gillivry, his x mark,	l. s.
Tisshoo Hooluhta, his x mark,	l. s.
Levi Colbert, his x mark,	l. s.

Signed, sealed, and interchanged, in presence of

Thomas Augustine Claiborne, *secretary to the commissioners,*
Samuel Mitchell, *U. S. agent to the Chickasaw nation,*

John M'Kee,

R. Chamberlin, *second lieut. second regt. infantry,*

W. P. Anderson, of Tennessee,

Malcolm M'Gee, his x mark,

John Pitchlynn,

Christopher Olney,

Wm. Tyrrell,

} *sworn interpreters.*

No. 4. To settle all territorial controversies, and to perpetuate that peace and Treaty with harmony which has long happily subsisted between the United States and the Chickasaw nation, the president of the United States of America, by major saws, general Andrew Jackson, general David Meriwether, and Jesse Franklin, esq. on the one part, and the whole Chickasaw nation, in council assembled, on the other, have agreed on the following articles, which, when ratified by the president, with the advice and consent of the senate of the United States, shall be binding on all parties.

Art. 1. Peace and friendship are hereby firmly established Peace and friendship established. and perpetuated between the United States of America and Chickasaw nation.

Art. 2. The Chickasaw nation cede to the United States The Chickasaws cede lands with specified reservations. (with the exception of such reservations as shall hereafter be specified) all right or title to lands on the north side of the Tennessee river, and relinquish all claim to territory on the south side of said river, and east of a line commencing at the mouth of Caney creek, running up said creek to its source, thence a due south course to the ridge path, or commonly called Gaines' road, along said road south-westwardly to a point on the Tombigby river, well known by the name of the Cottoing port, and down the west bank of the Tombigby to the Choctaw boundary.

Art. 3. In consideration of the relinquishment of claim, and cession of lands, made in the preceding article, the commissioners agree to allow the Chickasaw nation twelve thousand dollars per annum for ten successive years, and four thousand five hundred dollars to be paid, in sixty days after the ratification of this treaty, into the hands of Levi Colbert, as a compensation for any improvements which individuals of the Chickasaw nation may have had on the lands surrendered; that is to say, two thousand dollars for improvements on the east side of the Tombigby, and two thousand five hundred dollars for improvements on the north side of the Tennessee river. \$12,000 per annum to the Chickasaws for ten years, and \$4,500 for improvements.

Art. 4. The commissioners agree that the following tracts Tracts of land reserved. of land shall be reserved to the Chickasaw nation:

1. One tract of land for the use of col. George Colbert and heirs, and which is thus described by said Colbert: "Beginning on the north bank of the Tennessee river, at a point that, 1. For George Colbert, and heirs.

(With respect to this and subsequent reservations, see the treaty of 19th Oct. 1818, which follows this, No. 5, of this chapter.)

running north four miles, will include a big spring, about half way between his ferry and the mouth of Cypress, it being a spring that a large cow-path crosses its branch near where a cypress tree is cut down; thence westwardly to a point, four miles from the Tennessee river, and standing due north of a point on the north bank of the river, three miles below his ferry on the Tennessee river, and up the meanders of said river to the beginning point.

2. For Appassantubby and his heirs.

Art. 2. A tract of land, two miles square, on the north of the Tennessee river, and at its junction, with Beach creek, for the use of Appassantubby and heirs.

3. For John M'Cleish and his heirs.

3. A tract of land, one mile square, on the north side of the Tennessee river, for the use of John M'Cleish and heirs, the said tract to be so run as to include the said M'Cleish's settlement and improvements on the north side of Buffalo creek.

4. For Levi Colbert and his heirs.

4. Two tracts of land, containing forty acres each, on the south side of Tennessee river, and about two and a half miles below the Cottogin port, on the Tombigby river, which tracts of land will be pointed out by major Levi Colbert, and for the use of said Colbert and heirs.

If the reserved lands are abandoned by the proprietors or heirs, they revert as ceded territory.

It is stipulated, that the above reservation shall appertain to the Chickasaw nation only so long as they shall be occupied, cultivated, or used, by the present proprietors or heirs; and in the event of all, or either of said tracts of land, so reserved, being abandoned by the present proprietors or heirs, each tract or tracts of land so abandoned, shall revert to the United States, as a portion of that territory ceded by the second article of this treaty.

The line on the south side of Tennessee river to be ascertained and marked by commissioners, &c.

Commissioners to be attended by two persons from the Chickasaw nation.

Presents to the Chickasaw king and others.

Art. 5. The two contracting parties covenant and agree, that the line on the south side of the Tennessee river, as described in the second article of this treaty, shall be ascertained and marked by commissioners to be appointed by the president of the United States; that the marks shall be bold, trees to be blazed on both sides of the line, and the fore and aft trees to be marked with the letters U. S. That the commissioners shall be attended by two persons, to be designated by the Chickasaw nation, and that the said nation shall have due and seasonable notice when said operation is to be commenced.

Art. 6. In consideration of the conciliatory disposition evinced during the negotiation of this treaty, by the Chickasaw chiefs and warriors, but more particularly as a manifestation of the friendship and liberality of the president of the United States, the commissioners agree to give, on the ratification of this treaty, to Chinnubby, king of the Chickasaws, to Tishshomingo, William M'Gilvery, Arpasarshtubby, Samuel Seeley, James Brown, Levi Colbert, Ickaryoucullaha, George Pettagrope, Immartarharmicko, Chickasaw chiefs, and to Malcum M'Gee, interpreter, one hundred and fifty dollars each, in goods or

cash, as may be preferred ; and to major William Glover, col. George Colbert, captain Rabbit, Hoparyeahoummar, Immoukelourshsharhoparyea, Hoparyeahoullartir, Tushkerhopoyyea, Hoparyeahoummar, jun. Immoukelusharhopoyyea, James Colbert, Coweamarthlar, and Illachouwarhopoyyea, military leaders, one hundred dollars each ; and as a particular mark of distinction and favor for his long services and faithful adherence to the United States' government, the commissioners agree to allow to general William Colbert an annuity of one hundred dollars, for and during his life.

Annuity to
Wm. Colbert
for life.

Art. 7. "Whereas the chiefs and warriors of the Chickasaw nation have found, from experience, that the crowd of pedlars, who are constantly traversing their nation, from one end to the other, is of a serious disadvantage to the nation ; that serious misunderstandings and disputes frequently take place, as well as frauds, which are often practised on the ignorant and uninformed of the nation ; therefore, it is agreed by the commissioners on the part of the government, and the chiefs of the nation, that no more licences shall be granted by the agent of the Chickasaws to entitle any person or persons to trade or traffic merchandise in said nation ; and that any person or persons, whomsoever, of the white people, who shall bring goods and sell them in the nation contrary to this article, shall forfeit the whole of his or their goods, one half to the nation and the other half to the government of the United States; in all cases where this article is violated, and the goods are taken or seized, they shall be delivered up to the agent, who shall hear the testimony, and judge accordingly."

In consequence of the crowd of pedlars, &c. no licences are in future to be granted by the Chickasaw agent for persons to trade.

White persons bringing goods into the nation, shall forfeit them; half to the nation, &c.

This article was presented to the commissioners by the chiefs and warriors of the Chickasaw nation, and by their particular solicitation embraced in this treaty.

In testimony whereof, the said commissioners and undersigned chiefs and warriors have set their hands and seals.

Done at the Chickasaw council house, this twentieth day of September, in the year of our Lord one thousand eight hundred and sixteen.

Andrew Jackson,	l. s.
D. Meriwether,	l. s.
J. Franklin,	l. s.
Chanubby, King, his x mark,	i. s.
Tishshomingo, his x mark,	l. s.
William C. Gilvray, his x mark,	l. s.
Arpasarhtubby, his x mark,	l. s.
Samuel Seeley, his x mark,	l. s.
James Brown, his x mark,	l. s.
Levi Colbert, his x mark,	l. s.
Ickaryoucuttaha, his x mark,	l. s.
George Pettygrove, his x mark,	l. s.
Immartarharmicco, his x mark,	l. s.
Maj. gen. Wm. Colbert, his x mark,	l. s.
Major William Glover, his x mark,	l. s.

Major George Colbert, his x mark,	l. s.
Captain Rabbit, his x mark,	l. s.
Hopoyeahoummar, his x mark,	l. s.
Immouklusharhopoyea, his x mark,	l. s.
Hopoyeahoullarter, his x mark,	l. s.
Tushkarhopoyea, his x mark,	l. s.
Hopoyeahoummar, jr. his x mark,	l. s.
Immouklusharhopoyea, his x mark,	l. s.
James Colbert, his x mark,	l. s.
Coweamarthtar, his x mark,	l. s.
Illachouwarhopoyea, his x mark,	l. s.

Witness:

James Gadsden, *secretary*,
 William Cocke,
 John Rhea,
 Malcum M'Gee,
 James Colbert, *interpreter*.

Treaty with
the Chicka-
saws.

No. 5. To settle all territorial controversies, and to remove all ground of complaint or dissatisfaction, that might arise to interrupt the peace and harmony which have so long and so happily existed between the United States of America and the Chickasaw nation of Indians, James Monroe, president of the said United States, by Isaac Shelby and Andrew Jackson, of the one part, and the whole Chickasaw nation, by their chiefs, head men, and warriors, in full council assembled, of the other part, have agreed on the following articles; which, when ratified by the president and senate of the United States of America, shall form a treaty binding on all parties.

Peace and
friendship
perpetual.

Art. 1. Peace and friendship are hereby firmly established and made perpetual, between the United States of America and the Chickasaw nation of Indians.

Art. 2. To obtain the object of the foregoing article, the Chickasaw nation of Indians cede to the United States of America, (with the exception of such reservation as shall be hereafter mentioned,) all claim or title which the said nation has to the land lying north of the south boundary of the state of Tennessee, which is bounded south by the thirty-fifth degree of north latitude, and which lands, hereby ceded, lie within the following boundaries, viz: Beginning on the Tennessee river, about thirty-five miles, by water, below Colonel George Colbert's ferry, where the thirty-fifth degree of north latitude strikes the same; thence, due west, with said degree of north latitude, to where it cuts the Mississippi river at or near the Chickasaw Bluffs; thence, up the said Mississippi river, to the mouth of the Ohio; thence, up the Ohio river, to the mouth of Tennessee river; thence, up the Tennessee river, to the place of beginning.

Cession of
land by the
Chickasaws.
\$20,000, for
15 successive
years, to the
Chickasaws.

Art. 3. In consideration of the relinquishment of claim and cession of lands in the preceding article, and to perpetuate the happiness of the Chickasaw nation of Indians, the commissioners of the United States, before named, agree to allow the said nation the sum of twenty thousand dollars per annum, for

fifteen successive years, to be paid annually; and, as a further consideration for the objects aforesaid, and at the request of the chiefs of the said nation, the commissioners agree to pay captain John Gordon, of Tennessee, the sum of one thousand one hundred and fifteen dollars, it being a debt due by general William Colbert, of said nation, to the aforesaid Gordon; and the further sum of two thousand dollars, due by said nation of Indians, to captain David Smith, now of Kentucky, for that sum by him expended, in supplying himself and forty-five soldiers from Tennessee, in the year one thousand seven hundred and ninety-five, when assisting them (at their request and invitation,) in defending their towns against the invasion of the Creek Indians; both which sums, (on the application of the said nation,) are to be paid, within sixty days after the ratification of this treaty, to the aforesaid Gordon and Smith.

The U. S. to pay John Gordon,

and David Smith,

Within 60 days.

Art. 4. The commissioners agree, on the further and particular application of the chiefs, and for the benefit of the poor and warriors of the said nation, that a tract of land, containing four miles square, to include a salt lick or springs, on or near the river Sandy, a branch of the Tennessee river, and within the land hereby ceded, be reserved, and to be laid off in a square or oblong, so as to include the best timber, at the option of their beloved chief Levi Colbert and Major James Brown, or either of them; who are hereby made agents and trustees for the nation, to lease the said salt lick or springs, on the following express conditions, viz: For the benefit of this reservation, as before recited, the trustees or agents are bound to lease the said reservation to some citizen or citizens of the United States, for a reasonable quantity of salt, to be paid annually to the said nation, for the use thereof; and that, from and after two years after the ratification of this treaty, no salt, made at the works to be erected on this reservation, shall be sold within the limits of the same for a higher price than one dollar per bushel of fifty pounds weight; on failure of which the lease shall be forfeited, and the reservation revert to the United States.

Reservations for the Chickasaws.

Salt lick.

Levi Colbert and James Brown, agents, &c.

Terms on which the salt lick may be leased.

Art. 5. The commissioners agree, that there shall be paid to Oppassantubby, a principal chief of the Chickasaw nation, within sixty days after the ratification of this treaty, the sum of five hundred dollars, as a full compensation for the reservation of two miles square, on the north side of Tennessee river, secured to him and his heirs by the treaty held, with the said Chickasaw nation, on the twentieth day of September, 1816; and the further sum of twenty-five dollars to John Lewis, a half breed, for a saddle he lost while in the service of the United States; and, to show the regard the president of the United States has for the said Chickasaw nation, at the request of the chiefs of the said nation, the commissioners agree that the sum of one thousand and eighty-nine dollars shall be paid to Maj.

500 dollars to Oppassantubby.

(*Page 293, Acts 2d session 14th congress.)

25 dollars to John Lewis.

1089 dollars to J. Colbert—

money stolen from him at Baltimore.

The reservations made to G. and L. Colbert, to enure to them and their heirs and assigns forever, &c.

(†It should be the twentieth. there is no treaty with the Chickasaws of 26th sept. 1816. See ante, No. 4, of this chap.

The lands of the Colberts, and those living on it, subject to the laws of the U. S.

The reservation of J. McCleish to enure to him and his heirs and assigns, on the same terms.

The line of the south boundary of Tennessee to be marked.

Compensation for improvements on lands ceded by the Chickasaws.

150 dollars in cash to each of

James Colbert, interpreter, within the period stated in the first part of this article, it being the amount of a sum of money taken from his pocket, in the month of June, 1816, at the theatre in Baltimore: And the said commissioners, as a further regard for said nation, do agree that the reservations made to George Colbert and Levi Colbert, in the treaty held at the council house of said nation, on the twenty-sixth day of September, 1816, the first to Col. George Colbert, on the north side of Tennessee river, and those to Maj. Levi Colbert, on the east side of the Tombigby river, shall enure to the sole use of the said Col. George Colbert, and Maj. Levi Colbert, their heirs and assigns, forever, with their butts and bounds, as defined by said treaty, and agreeable to the marks and boundaries as laid off and marked by the surveyor of the United States, where that is the case, and where the reservations have not been laid off and marked by a surveyor of the United States, the same shall be so done as soon after the ratification of this treaty as practicable, on the application of the reservees, or their legally appointed agent under them, and agreeably to the definition in the before recited treaty. This agreement is made on the following express conditions: that the said land, and those living on it, shall be subject to the laws of the United States, and all legal taxation that may be imposed on the land or citizens of the United States inhabiting the territory where said land is situated. The commissioners further agree, that the reservation secured to John McCleish, on the north side of Tennessee river, by the before recited treaty, in consequence of his having been raised in the state of Tennessee, and marrying a white woman, shall enure to the sole use of the said John McCleish, his heirs and assigns, forever, on the same conditions attached to the lands of Col. George Colbert and Maj. Levi Colbert, in this article.

Art. 6. The two contracting parties covenant and agree, that the line of the south boundary of the state of Tennessee, as described in the second article of this treaty, shall be ascertained and marked by commissioners appointed by the president of the United States; that the marks shall be bold; the trees to be blazed on both sides of the line, and the fore and aft trees marked U. S.; and that the commissioners shall be attended by two persons, to be designated by the Chickasaw nation; and the said nation shall have due and seasonable notice when said operation is to be commenced. It is further agreed by the commissioners, that all improvements actually made by individuals of the Chickasaw nation, which shall be found within the lands ceded by this treaty, that a fair and reasonable compensation shall be paid therefor, to the respective individuals having made or owned the same.

Art. 7. In consideration of the friendly and conciliatory disposition evinced during the negotiation of this treaty, by the

Chickasaw chiefs and warriors, but more particularly, as a manifestation of the friendship and liberality of the president of the United States, the commissioners agree to give, on the ratification of this treaty, to Chinnubby, king of the Chickasaw nation, to Teshuamingo, William M'Gilvery, Anpassantubby, Samuel Seely, James Brown, Levi Colbert, Ickaryoucuttaha, George Pettygrove, Immartarharmicco, Chickasaw chiefs, and to Malculm M'Gee, interpreter to this treaty, each, one hundred and fifty dollars, in cash; and to Major William Glover, Col. George Colbert, Hopoyeahummar, Immauklusharhopoyea, Tushkarhopoyea, Hopoyeahummar, jun. Immauklusharhopoyea, James Colbert, Coweamarthlar, Ilachouwarhopoyea, military leaders, one hundred dollars each; and do further agree, that any annuity heretofore secured to the Chickasaw nation of Indians, by treaty, to be paid in goods, shall hereafter be paid in cash.

the individuals
named.

100 dollars
each to cer-
tain other in-
dividuals.

Annuities
hereafter
wholly in cash.

In testimony whereof the said commissioners, and under-
signed chiefs and warriors, have set their hands and seals.
Done, at the treaty ground east of Old Town, this nine-
teenth day of October, in the year of our Lord one thou-
sand eight hundred and eighteen.

ISAAC SHELBY,
ANDREW JACKSON.

Levi Colbert, his x mark,
Samuel Seely, his x mark,
Chinnubby, King, his x mark,
Teshuamingo, his x mark,
William M'Gilvery, his x mark,
Arpasheushtubby, his x mark,
James Brown, his x mark,
Ickaryaucuttaha, his x mark,
George Pettygrove, his x mark,
Immartarharmicco, his x mark,
Major General William Colbert, his x mark,
Major William Glover, his x mark,
Hopayahaummar, his x mark,
Immauklusharhopoyea, his x mark,
Tuskachopoyea, his x mark,
Hopoyahaummar, jun. his x mark,
Immauklusharhopoyea, his x mark,
James Colbert,
Coweamarthlar, his x mark,
Ilackhanwarhopoyes, his x mark,
Col. George Colbert, his x mark.

In the presence of

Robert Butler, *Adj't. gen. and Secretary*,
Th. J. Sherburne, *agent for the Chickasaw nation of Indians*,
Malculm M'Gee, *interpreter*, his x mark,
Martin Colbert,
J. C. Bronaugh, *ass't inspec. gen. S. D.*
Thos. H. Shelby, of Kentucky,
R. K. Call, *capt. U. S. Army*,
Benjamin Smith, of Kentucky,
Richard I. Easter, *A. D. Q. M. gen.*
Ms. B. Winchester,
W. B. Lewis.

CHAPTER VII.

Treaty between the United States of America and the Shawanec nation of Indians.

Treaty with
the Shawanees.

No. 1. Articles of a treaty concluded at the mouth of the Great Miami, on the northwestern bank of the Ohio, the thirty-first day of January, one thousand seven hundred and eighty-six, between the commissioners plenipotentiary of the United States of America, of the one part, and the chiefs and warriors of the Shawanec nation, of the other part.

The Shawanees to deliver three hostages for the restoration of prisoners.

Art. 1. Three hostages shall be immediately delivered to the Commissioners, to remain in the possession of the United States until all the prisoners, white and black, taken in the late war, from among the citizens of the United States, by the Shawanec nation, or by any other Indian or Indians residing in their towns, shall be restored.

The Shawanees acknowledge the right of the United States to the territory ceded by Great Britain.

Art. 2. The Shawanec nation do acknowledge the United States to be the sole and absolute sovereigns of all the territory ceded to them by a treaty of peace, made between them and the king of Great Britain, the fourteenth day of January, one thousand seven hundred and eighty-four.

The Shawanees to deliver up robbers, murderers, &c. for punishment.

Art. 3. If any Indian or Indians of the Shawanec nation, or any other Indian or Indians residing in their towns, shall commit murder or robbery on, or do any injury to, the citizens of the United States, or any of them, that nation shall deliver such offender or offenders to the officer commanding the nearest post of the United States, to be punished according to the ordinances of congress; and in like manner, any citizen of the United States, who shall do an injury to any Indian of the Shawanec nation, or to any other Indian or Indians residing in their towns, and under their protection, shall be punished according to the laws of the United States.

Citizens to be punished for injuring Shawanees.

The Shawanees neglecting to give notice of hostile designs, to be considered as parties.

Art. 4. The Shawanec nation having knowledge of the intention of any nation or body of Indians to make war on the citizens of the United States, or of their counselling together for that purpose, and neglecting to give information thereof to the commanding officer of the nearest post of the United States, shall be considered as parties in such war, and be punished accordingly: and the United States shall, in like manner, inform the Shawanees of any injury designed against them.

The United States grant peace and protection.

Art. 5. The United States do grant peace to the Shawanec nation, and do receive them into their friendship and protection.

Boundary line of the lands allowed to the

Art. 6. The United States do allot to the Shawanec nation, lands within their territory to live and hunt upon, beginning at the south line of the lands allotted to the Wyandots and Delaware nations, at the place where the main branch of

the Great Miami, which falls into the Ohio, intersects said line; then down the river Miami, to the fork of that river, next below the old fort which was taken by the French in one thousand seven hundred and fifty-two; thence due west to the river de la Panse; then down that river to the river Wabash; beyond which lines none of the citizens of the United States shall settle, nor disturb the Shawanees in their settlement and possessions. And the Shawanees do relinquish to the United States, all title, or pretence of title, they ever had to the lands east, west, and south, of the east, west, and south lines before described.

Shawanees,
for living and
hunting on,

Citizens not to
settle within
the lines de-
scribed.

Art. 7. If any citizen or citizens of the United States, shall presume to settle upon the lands allotted to the Shawanees by this treaty, he or they shall be put out of the protection of the United States.

Citizens set-
tling on Shaw-
anee lands,
outlawed.

In testimony whereof, the parties hereunto have affixed their hands and seals, the day and year first abovementioned.

G. Clark,	l. s.
Richard Butler,	l. s.
Saml. H. Parsons,	l. s.
Aweecony, his x mark,	l. s.
Kakawipilathy, his x mark,	l. s.
Malunthy, his x mark,	l. s.
Musquaconocah, his x mark,	l. s.
Meanymsccah, his x mark,	l. s.
Waupaucowela, his x mark,	l. s.
Nihipeewa, his x mark,	l. s.
Nihinessicoe, his x mark,	l. s.

Attest. Alexander Campbell, *sec'y commissioners.*

Witnesses.

W. Finney, *maj. B. B.*
Thos. Doyle, *capt. B. B.*
Nathan McDowell, *ensign,*
John Saffenger,
Henry Govy,
Kagy Galloway, his x mark,
John Boggs,
Sam. Montgomery,
Daniel Elliott,
James Rinker,
Nathl. Smith,
Joseph Suffrein, his x mark, or Kemepemo Shawno,
Isaac Zane, (Wyandot) his mark,
The Half King of the Wyandots, } their x marks,
The Crane of the Wyandots, }
Capt. Pipe, of the Delawares, his x mark,
Capt. Bohongehelas, his x mark,
Tetebockshicka, his x mark,
The Big Cat of the Delawares, his x mark,
Pierre Droullar.

[*Note.* The Shawanees are, moreover, parties, in common with different Indian tribes, to other treaties, for which see ante chap. 3, Nos. 3, 4, 6, 9, 12, 13, 16, 17.]

CHAPTER VIII.

Treaties with the Creek nation of Indians.

- Treaty with the Creeks. No. 1. A treaty of peace and friendship, made and concluded between the president of the United States of America, on the part and behalf of the said states, and the undersigned kings, chiefs, and warriors, of the Creek nation of Indians, on the part and behalf of the said nation.
- The parties desirous of establishing permanent peace, &c. The parties being desirous of establishing permanent peace and friendship between the United States and the said Creek nation, and the citizens and members thereof, and to remove the causes of war by ascertaining their limits, and making other necessary, just, and friendly arrangements: the president of the United States, by Henry Knox, secretary for the department of war, whom he hath constituted with full powers for these purposes, by and with the advice and consent of the senate of the United States, and the Creek nation, by the undersigned kings, chiefs, and warriors, representing the said nation, have agreed to the following articles:
- Perpetual peace and friendship. Art. 1. There shall be perpetual peace and friendship between all the citizens of the United States of America, and all the individuals, towns, and tribes, of the Upper, Middle, and Lower Creeks and Seminoles, composing the Creek nation of Indians.
- The Creeks under the protection of the United States. Art. 2. The undersigned kings, chiefs, and warriors, for themselves and all parts of the Creek nation within the limits of the United States, do acknowledge themselves, and the said parts of the Creek nation, to be under the protection of the United States of America, and of no other sovereign whosoever; and they also stipulate that the said Creek nation will not hold any treaty with an individual state, or with individuals of any state.
- The Creeks not to treat with any state.
- Prisoners to be delivered up by the Creeks. Art. 3. The Creek nation shall deliver, as soon as practicable, to the commanding officer of the troops of the United States, stationed at the Rock Landing on the Oconee river, all citizens of the United States, white inhabitants, or negroes, who are now prisoners in any part of the said nation. And if any such prisoners or negroes, should not be so delivered, on or before the first day of June ensuing, the governor of Georgia may empower three persons to repair to the said nation, in order to claim and receive such prisoners and negroes.
- Boundary between the United States and the Creeks. Art. 4. The boundary between the citizens of the United States and the Creek nation, is, and shall be, from where the old line strikes the river Savannah; thence up the said river to a place on the most northern branch of the same, commonly called the Keowee, where a northeast line to be drawn from the top of the Occunna mountain shall intersect; thence along the said line in a southwest direction to Tugelo river; thence to the

top of the Currahee mountain ; thence to the head or source of the main south branch of the Oconee river, called the Appalachee ; thence down the middle of the said main south branch and river Oconee, to its confluence with the Oakmulgee, which form the river Altamaha ; and thence down the middle of the said Altamaha, to the old line on the said river ; and thence along the said old line to the river St. Mary's.

And in order to preclude forever all disputes relatively to the head or source of the main south branch of the river Oconee, at the place where it shall be intersected by the line aforesaid, from the Currahee mountain, the same shall be ascertained by an able surveyor on the part of the United States, who shall be assisted by three old citizens of Georgia, who may be appointed by the governor of the said state, and three old Creek chiefs, to be appointed by the said nation ; and the said surveyor, citizens, and chiefs, shall assemble for this purpose, on the first day of October, one thousand seven hundred and ninety-one, at the Rock Landing on the said river Oconee, and thence proceed to ascertain the said head or source of the main south branch of the said river, at the place where it shall be intersected by the line aforesaid, to be drawn from the Currahee mountain. And in order that the said boundary shall be rendered distinct and well known, it shall be marked by a line of felled trees at least twenty feet wide, and the trees chopped on each side from the said Currahee mountain, to the head or source of the said main south branch of the Oconee river, and thence down the margin of the said main south branch and river Oconee, for the distance of twenty miles, or as much farther as may be necessary to mark distinctly the said boundary. And in order to extinguish forever all claims of the Creek nation, or any part thereof, to any of the land lying to the northward and eastward of the boundary herein described, it is hereby agreed, in addition to the considerations heretofore made for the said land, that the United States will cause certain valuable Indian goods, now in the state of Georgia, to be delivered to the said Creek nation ; and the said United States will also cause the sum of one thousand and five hundred dollars to be paid annully to the said Creek nation. And the undersigned kings, chiefs, and warriors, do hereby, for themselves and the whole Creek nation, their heirs, and descendants, for the considerations abovementioned, release, quit claim, relinquish, and cede, all the land to the northward and eastward of the boundary herein described.

Art. 5. The United States solemnly guaranty to the Creek nation, all their lands within the limits of the United States, to the westward and southward of the boundary described by the preceding article.

Art. 6. If any citizen of the United States, or other person, not being an Indian, shall attempt to settle on any of the Creeks'

The source of the main south branch of the Oconee to be ascertained by actual survey.

The survey to commence 1st of October, 1791, at the Rock Landing.

Boundary to be marked by felled trees.

The United States to deliver goods to the Creeks, and pay them annually \$1,500.

Quit claim of the Creeks.

Guarantee of lands to the Creeks.

Citizens settling on lands

of the Creeks, lands, such person shall forfeit the protection of the United States ; and the Creeks may punish him or not, as they please.

Citizens not to hunt on lands of the Creeks.

Art. 7. No citizen or inhabitant of the United States shall attempt to hunt or destroy the game on the Creek lands: nor shall any such citizen or inhabitant go into the Creek country, without a passport first obtained from the governor of some one of the United States, or the officer of the troops of the United States, commanding at the nearest military post on the frontiers, or such other person as the president of the United States may, from time to time, authorize to grant the same.

Passports to go into the country of the Creeks.

The Creeks to deliver up robbers, murderers, &c. for punishment.

Art. 8. If any Creek Indian or Indians, or person residing among them, or who shall take refuge in their nation, shall commit a robbery or murder, or other capital crime, on any of the citizens or inhabitants of the United States, the Creek nation, or town, or tribe to which such offender or offenders may belong, shall be bound to deliver him or them up, to be punished according to the laws of the United States.

Citizens committing offences in Creek towns, punishable in like manner as if committed against a white inhabitant in the United States.

Art. 9. If any citizen or inhabitant of the United States, or of either of the territorial districts of the United States, shall go into any town, settlement, or territory, belonging to the Creek nation of Indians, and shall there commit any crime upon, or trespass against the person or property of any peaceable and friendly Indian or Indians, which, if committed within the jurisdiction of any state, or within the jurisdiction of either of the said districts, against a citizen or white inhabitant thereof, would be punishable by the laws of such state or district, such offender or offenders shall be subject to the same punishment, and shall be proceeded against in the same manner as if the offence had been committed within the jurisdiction of the state or district to which he or they may belong, against a citizen or white inhabitant thereof.

Retaliation for private injuries, restrained.

Art. 10. In cases of violence on the persons or property of the individuals of either party, neither retaliation nor reprisal shall be committed by the other, until satisfaction shall have been demanded of the party of which the aggressor is, and shall have been refused.

The Creeks to give notice of hostile designs.

Art. 11. The Creeks shall give notice to the citizens of the United States of any designs which they may know or suspect to be formed in any neighboring tribe, or by any person whatever, against the peace and interests of the United States.

The Creeks to be furnished with domestic animals.

Art. 12. That the Creek nation may be led to a greater degree of civilization, and to become herdsmen and cultivators, instead of remaining in a state of hunters, the United States will, from time to time, furnish gratuitously the said nation with useful domestic animals and implements of husbandry. And further, to assist the said nation in so desirable a pursuit, and at the same time to establish a certain mode of communication, the United States will send such, and so many, persons to reside in

The United States to send

said nation, as they may judge proper, and not exceeding four in number, who shall qualify themselves to act as interpreters. These persons shall have lands assigned them by the Creeks for cultivation, for themselves and their successors in office; but they shall be precluded exercising any kind of traffic.

Art. 13. All animosities for past grievances shall henceforth cease; and the contracting parties will carry the foregoing treaty into full execution, with all good faith and sincerity. All animosities to cease.

Art. 14. This treaty shall take effect and be obligatory on the contracting parties, as soon as the same shall have been ratified by the president of the United States, with the advice and consent of the senate of the United States. This treaty to take effect as soon as ratified.

In witness of all and every thing herein determined, between the United States of America, and the whole Creek nation, the parties have hereunto set their hands and seals, in the city of New-York, within the United States, this seventh day of August, one thousand seven hundred and ninety.

In behalf of the United States:

H. Knox, *secretary of war, and sole commissioner for treating with the Creek nation of Indians,* l. s.

In behalf of themselves and the whole Creek nation of Indians:

Alexander McGillivray, l. s.

CUSETAHS.

Fuskatche Mico, or Birdtail King, his x mark, l. s.
Neathlock, or Second Man, his x mark, l. s.
Halletemalthic, or Blue Giver, his x mark, l. s.

LITTLE TALLISEE.

Opay Mico, or the Singer, his x mark, l. s.
Totkeshajon, or Samoniac, his x mark, l. s.

BIG TALLISEE.

Hopothé Mico, or Tallisee King, his x mark, l. s.
Opototachie, or Long Side, his x mark, l. s.

TUCKABATCHY.

Soholessee, or Young Second Man, his x mark, l. s.
Ocheehajon, or Aleck Cornel, his x mark, l. s.

NATCHEZ.

Chinabie, or the Great Natchez Warrior, his x mark, l. s.
Natsowachchee, or the Great Natchez Warrior's brother, his x mark, l. s.
Thakoteehee, or the Mole, his x mark, l. s.
Oquakabee, his x mark, l. s.

COWETAS.

Tuskenaah, or Big Lieutenant, his x mark, l. s.
Homatah, or Leader, his x mark, l. s.
Chinnabie, or Matthews, his x mark, l. s.
Tuleetaulematha, or Dry Pine, his x mark, l. s.

OF THE BROKEN ARROW.

Chawookly Mico, his x mark, l. s.

COOSADES.

Coosades Hopoy, or the Measurer, his x mark, l. s.

Muthtee, the Misser, his x mark, l. s.

Stimafutchkee, or Good Humor, his x mark, l. s.

ALABAMA CHIEF.

Stilnaleeje, or Disputer, his x mark, l. s.

OAKSOYS.

Mumagechee, David Francis, his x mark, l. s.

Done in the presence of

Richard Morris, *chief justice of the state of New York,*

Richard Varick, *mayor of the city of New York,*

Marinus Willet,

Thomas Lee Shippen, *of Pennsylvania,*

John Rutledge, junr.

Joseph Allen Smith,

Henry Izard,

Joseph Cornell, *interpreter,* his x mark.

JOHN ADAMS, PRESIDENT OF THE UNITED STATES OF AMERICA,

To all to whom these presents shall come; greeting:

Whereas a treaty of peace and friendship was made and concluded on, at Colerain, in the state of Georgia, the twenty-ninth day of June, one thousand seven hundred and ninety-six, between the president of the United States of America, on the one part, and behalf of the said states, and the kings, chiefs, and warriors of the Creek nation of Indians, on the part of the said nation; which treaty is in the words following, to wit:

Treaty with
the Creeks.

No. 2. A treaty of peace and friendship, made and concluded between the president of the United States of America, on the one part, and behalf of the said states, and the undersigned kings, chiefs, and warriors, of the Creek nation of Indians, on the part of the said nation.

Mutual desire
of establishing
peace and
friendship.

The parties being desirous of establishing permanent peace and friendship between the United States and the said Creek nation, and the citizens and members thereof; and to remove the causes of war, by ascertaining their limits, and making other necessary, just, and friendly arrangements; the president of the United States, by Benjamin Hawkins, George Clymer, and Andrew Pickens, commissioners whom he hath constituted with powers for these purposes, by and with the advice and consent of the senate; and the Creek nation of Indians, by the undersigned kings, chiefs, and warriors, representing the whole Creek nation, have agreed to the following articles:

Art. 1. The treaty entered into at New York, between the parties, on the 7th day of August, 1790,* is, and shall remain obligatory on the contracting parties, according to the terms of it, except as herein provided for.

The treaty of New York binding; except, &c.

Art. 2. The boundary line from the Currahee mountain to the head or source of the main south branch of the Oconee river, called by the white people Appalatchee, and by the Indians Tulapocka, and down the middle of the same, shall be clearly ascertained and marked, at such time, and in such manner, as the president shall direct. And the Indians will, on being informed of the determination of the president, send as many of their old chiefs as he may require, to see the line ascertained and marked.

A certain portion of the boundary line to be clearly ascertained: See ante, No. 1, art. 4, of this chapter.

Art. 3. The president of the United States of America shall have full powers, whenever he may deem it advisable, to establish a trading or military post on the south side of the Alatomaha, on the bluff, about one mile above Beard's Bluff; or any where, from thence down the said river on the lands of the Indians, to garrison the same with any part of the military force of the United States, to protect the post, and to prevent the violation of any of the provisions or regulations subsisting between the parties: and the Indians do hereby annex to the post aforesaid, a tract of land of five miles square, bordering one side on the river; which post and the lands annexed thereto, are hereby ceded to, and shall be to the use, and under the government, of the United States of America.†

The president may establish a trading or military post, on the south side of Alatomaha.

Five miles square annexed to the post.

Art. 4. As soon as the president of the United States has determined on the time and manner of running the line from the Currahee mountain, to the head or source of the main south branch of the Oconee, and notified the chiefs of the Creek land of the same, a suitable number of persons on their part shall attend to see the same completed: and if the president should deem it proper, then to fix on any place or places adjoining the river, and on the Indian lands, for military or trading posts, the Creeks who attend there will concur in fixing the same, according to the wishes of the president. And to each post the Indians shall annex a tract of land of five miles square, bordering one side on the river. And the said lands shall be to the use and under the government of the United States of America: provided always, that whenever any of the trading or military posts mentioned in this treaty, shall, in the opinion of the president of the United States of America, be no longer necessary for the purposes intended by this cession, the same shall revert to, and become a part of the Indian lands.

Creek commissioners to see the line completed from the Currahee.

Military posts, &c. to be established by concurrence.

Five miles square to each post.

Proviso; as to the reversion of lands for military posts;

Art. 5. Whenever the president of the United States of America, and the king of Spain, may deem it advisable to

The Creeks to be notified

* See ante, No. 1, of this chapter.

† See, in relation to the effect of this and following articles, a proviso and condition in the ratification of this treaty, immediately following it.

and attend the marking the boundary line between the American and Spanish territories.

mark the boundaries which separate their territories,* the president shall give notice thereof to the Creek chiefs, who will furnish two principal chiefs and twenty hunters to accompany the persons employed on this business, as hunters and guides, from the Choctaw country to the head of St. Mary's. The chiefs shall receive each half a dollar per day, and the hunters one quarter of a dollar each per day, and ammunition, and a reasonable value for the meat delivered by them for the use of the persons on this service.

The Creeks relinquish claims to territory ceded by the Choctaws and others.

Art. 6. The treaties of Hopewell,† between the United States and the Choctaws and Chickasaws, and at Holston,‡ between the Cherokees and the United States, mark the boundaries of those tribes of Indians. And the Creek nation do hereby relinquish all claims to any part of the territory inhabited or claimed by the citizens of the United States, in conformity with the said treaties.

The Creeks to restore prisoners, negroes, &c.

Art. 7. The Creek nation shall deliver, as soon as practicable, to the superintendent of Indian affairs, at such place as he may direct, all citizens of the United States, white inhabitants, and negroes, who are now prisoners in any part of the said nation, agreeable to the treaty at New York,§ and also all citizens, white inhabitants, negroes and property taken since the signing of that treaty. And if any such prisoners, negroes, or property, should not be delivered, on or before the first day of January next, the governor of Georgia may empower three persons to repair to the said nation, in order to claim and receive such prisoners, negroes, and property; under the direction of the president of the United States.

(§ Ante, No. 1, art. 3, of this chapter.)

The U. S. give to the Creeks goods to the value of \$6,000, &c.

Art. 8. In consideration of the friendly disposition of the Creek nation towards the government of the United States, evidenced by the stipulations in the present treaty, and particularly the leaving it in the discretion of the president to establish trading or military posts on their lands, the commissioners of the United States, on behalf of the said states, give to the said nation goods to the value of six thousand dollars, and stipulate to send to the Indian nation, two blacksmiths, with strikers, to be employed for the upper and lower Creeks, with the necessary tools.

Animosities to cease.

Art. 9. All animosities for past grievances shall henceforth cease, and the contracting parties will carry the foregoing treaty into full execution with all good faith and sincerity: provided nevertheless, that persons now under arrest, in the state of Georgia, for a violation of the treaty at New York, are not to be included in this amnesty, but are to abide the decision of law.

Proviso; excluding persons under arrest.

* These boundaries were designated under the treaty of San Lorenzo el Real, of the 27th of October, 1795. See 1 vol. Laws U. S. page 264.

† See ante, chap. 5, No. 1, art. 3; and chap. 6, No. 1, art. 3.

‡ See ante, chap. 4, No. 2, art. 4.

Art. 10. This treaty shall take effect and be obligatory on the contracting parties, as soon as the same shall have been ratified by the president of the United States, by and with the advice and consent of the senate. This treaty to take effect as soon as ratified.

Done at Colerain, the 29th of June, one thousand seven hundred and ninety-six.

Benjamin Hawkins	l. s.
George Clymer,	l. s.
Andrew Pickens,	l. s.

COWETAS.

Chruchateneah, his x mark,	l. s.
Tusikia Mico, his x mark,	l. s.
Inclenis Mico, his x mark,	l. s.
Tuskenah, his x mark,	l. s.
Ookfuskee Tustuneka, his x mark,	l. s.
Clewalee Tustuneka, his x mark,	l. s.

CUSSITAS.

Tusikia Mico, his x mark,	l. s.
Cussita Mico, his x mark,	l. s.
Fusateehee Mico, his x mark,	l. s.
Opoeey Mico, his x mark.	l. s.

BROKEN ARROWS.

Tustuneka Mico, his x mark,	l. s.
Othley Opoeey, his x mark,	l. s.
Opoeey Tustuneka, his x mark,	l. s.
Oboethly Tustuneka, his x mark,	l. s.

EUCHEES.

Euchee Mico, his x mark,	l. s.
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USUCHEES.

Osaw Enehah, his x mark,	l. s.
Ephah Tuskenah, his x mark,	l. s.
Tusikia Mico, his x mark,	l. s.

CHEHAWS.

Chehaw Mico, his x mark,	l. s.
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TALEHANAS.

Othley Poey Mico, his x mark,	l. s.
Othley Poey Tustimila, his x mark,	l. s.

OAKMULGEES.

Opoeey Thlocco, his x mark,	l. s.
Parachuckley, his x mark,	l. s.
Tuskenah, his x mark,	l. s.

EUPHALES.

Pahose Mico, his x mark,	l. s.
Tustunika Chopco, his x mark,	l. s.

OTTASSÈES.

Fusatchee Hulloo Mico, his x mark,	l. s.
Tusikia Mico, his x mark,	l. s.
Mico Opoeey, his x mark,	l. s.

TALLESSEES.

Tallessee Mico, his x mark,	l. s.
Othley Poey Mico, his x mark,	l. s.

LITTLE OAKJOYS.

Meeke Matla, his x mark,	l. s.
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HICORY GROUND.

Opoe Mico, his x mark,	l. s.
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KUYALEGEES.

Kelese Hatkie, his x mark,	l. s.
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WEAKIS.

Nenehomotca Opoe Mico, his x mark,	l. s.
Tusikia Mico, his x mark,	l. s.

CLEEWALLEES.

Opoe-e-Matla, his x mark,	l. s.
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COOSIS.

Hosonupe Hodjo, his x mark,	l. s.
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TUCKABATHEES.

Holabto Mico, his x mark,	l. s.
Tustunika Thlocco, his x mark,	l. s.

OAKFUSKEES.

Pashphalaha, his x mark,	l. s.
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ABACOUCHES.

Spani Hodjo, his x mark,	l. s.
Tustunika, his x mark,	l. s.

UPPER EUPHAULES.

Opoe Mico, his x mark,	l. s.
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NATCHEES.

Chinibe, his x mark,	l. s.
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UPPER CHEEHAWS.

Spokoi Hodjo, his x mark,	l. s.
Tustunika, his x mark,	l. s.

MACKASOOKOS.

Tuskeehenehaw, his x mark,	l. s.
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OCONEES.

Knapematha Thlocco, his x mark,	l. s.
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CUSETAHS.

Cusa Mico, his x mark,	l. s.
Tusekia Mico Athee, his x mark,	l. s.
Halartee Matla, his x mark,	l. s.
Talahoua Mico, his x mark,	l. s.
Neathlocto, his x mark,	l. s.
Nuckfamico, his x mark,	l. s.
Estechaco Mico, his x mark,	l. s.

Tuskegee Tuskinagee, his x mark,	l. s.
Gochus Mico, his x mark,	l. s.
Opio Hajo, his x mark,	l. s.
Oneas Tustenagee, his x mark,	l. s.
Alak Ajo, his x mark,	l. s.
Stilpeck Chatee, his x mark,	l. s.
Tuchesee Mico, his x mark,	l. s.

KEALEEGEES.

Cheea Hajo, his x mark,	l. s.
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HITCHETAWS.

Talmasee Matla, his x mark,	l. s.
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TUCKABATCHEES.

Tustineke Hajo, his x mark,	l. s.
Okolissa, his x mark,	l. s.
Coweta Matla, his x mark,	l. s.
Coosa Mico, his x mark,	l. s.
Fusatchee Mico, his x mark,	l. s.
Pio Hatkee, his x mark,	l. s.
Foosatchee Mico, his x mark,	l. s.
Neathlaco, his x mark,	l. s.
Tuchabatchee Howla, his x mark,	l. s.
Spoko Hajo, his x mark,	l. s.

KIALEEGEES.

Chuckchack Nincha, his x mark,	l. s.
Opoyo Matla, his x mark,	l. s.
Lachlee Matla, his x mark,	l. s.

BIG TALLASEES.

Chowostia Hajo, his x mark,	l. s.
Neathloco Opyo, his x mark,	l. s.
Neathloco, his x mark,	l. s.
Chowlactley Mico, his x mark,	l. s.
Tocoso Hajo, his x mark,	l. s.
Hoochee Matla, his x mark,	l. s.
Howlacta, his x mark,	l. s.
Tustinica Mico, his x mark,	l. s.
Opoy Fraico, his x mark,	l. s.

BIG TALASSEE.

Houlacta, his x mark,	l. s.
Etcatee Hajo, his x mark,	l. s.
Chosolop Hajo, his x mark,	l. s.
Coosa Hajo, his x mark,	l. s.

TUCHABATCHEES.

Chohajo, his x mark,	l. s.
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COOSIS.

Tuskegee Tustinagee, his x mark,	l. s.
Talmasa Watalica, his x mark,	l. s.

EUPHALEES.

Totkes Hago, his x mark,	l. s.
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OTASEES.

Opio Tustinagee, his x mark,	l. s.
Yafkee Mall Hajo, his x mark,	l. s.

Oboyethlee Tustinagee, his x mark,	l. s.
Tustinagee Hajo, his x mark,	l. s.
Hillibee Tustinagee Hajo, his x mark,	l. s.
Effa Tuskeena, his x mark,	l. s.
Emathlee Loco, his x mark,	l. s.
Tustanagee Mico, his x mark,	l. s.
Yaha Tustinagee, his x mark,	l. s.
Cunctastee Tustanagee, his x mark,	l. s.

OTTASEES.

Goosa Tustinagee, his x mark,	l. s.
Neamatle Matla, his x mark,	l. s.

WEEOKES.

Tustienika Hajo, his x mark,	l. s.
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TUCHABATHEES.

Neamatoochee, his x mark,	l. s.
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CUSSITAS.

Talewa Othleopoya, his x mark,	l. s.
Talmasse Matla, his x mark,	l. s.
Niah Weathla, his x mark,	l. s.
Emathlee-laco, his x mark,	l. s.
Ottesee Matla, his x mark,	l. s.
Muclassee Matla, his x mark,	l. s.
Eufallee Matla, his x mark,	l. s.

TUCKABATCHEES.

Cunipee Howla, his x mark,	l. s.
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COWETAS.

Hospotak Tustinagee, his x mark,	l. s.
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NATCHEZ.

Spoko Hodjo, his x mark,	l. s.
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UCHEES.

Tustinagee Chatee, his x mark,	l. s.
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USUCHEES.

Spokoca Tustinagee, his x mark,	l. s.
Othley-poey-Tustinagee, his x mark,	l. s.
Tuskeeneah, his x mark,	l. s.

Witness.

J. Seagrove, *superintendent Indian affairs, C. N.*
 Henry Gaither, *lieutenant colonel commandant,*
 Const. Freeman, A. W. D. *major artillery and engineers,*
 Samuel Tinsley, *capt. 3d sub-legion,*
 Samuel Allison, *ensign 2d sub-legion,*
 John W. Thompson, *ensign 1st U. S. s. legion,*
 Geo. Gillasspy, *surgeon L. U. S.*
 Tim. Barnard, *D. A. and sworn interpreter,*
 James Burges, *D. A. and sworn interpreter,*
 James Jordan,
 Richard Thomas,
 Alexander Cornels,
 William Eaton, *capt. 4th U. S. sub-legion, comdt. at Colerain, and secretary to the commission.*

And whereas the senate of the United States, two-thirds of the senators present concurring, did, by their resolution of the second day of March instant, "consent to, and advise the president of the United States to ratify the treaty of peace and friendship, made and concluded at Colerain, in the state of Georgia, on the 29th June, 1796, between the president of the United States of America, on the part and behalf of the said states, and the kings, chiefs, and warriors, of the Creek nation of Indians, on the part of the said nation: provided, and on condition, that nothing in the third and fourth articles of the said treaty, expressed in the words following: 'ART. 3. The president of the United States of America shall have full powers, whenever he may deem it advisable, to establish a trading or military post on the south side of the Altamaha, on the bluff about one mile above Beard's Bluff; or any where from thence down the said river, on the lands of the Indians, to garrison the same with any part of the military force of the United States, to protect the post, and to prevent the violation of any of the provisions or regulations subsisting between the parties: and the Indians do hereby annex to the post aforesaid, a tract of land of five miles square, bordering one side on the river, which post and the lands annexed thereto, are hereby ceded to, and shall be to the use, and under the government, of the United States of America.' ART. 4. As soon as the president of the United States has determined on the time and manner of running the line from the Currahee mountain, to the head or source of the main south branch of the Oconee, and notified the chiefs of the Creek land of the same, a suitable number of persons on their part shall attend, to see the same completed: and if the president should deem it proper, then to fix on any place or places adjoining the river, and on the Indian lands for military or trading posts; the Creeks who attend there, will concur in fixing the same, according to the wishes of the president. And to each post, the Indians shall annex a tract of land of five miles square, bordering one side on the river. And the said lands shall be to the use and under the government of the United States of America: provided always, that whenever any of the trading or military posts mentioned in this treaty, shall, in the opinion of the president of the United States of America, be no longer necessary for the purposes intended by this cession, the same shall revert to, and become a part of the Indian lands: shall be construed to effect any claim of the state of Georgia, to the right of pre-emption in the land therein set apart for military or trading posts; or to give to the United States without the consent of the said state, any right to the soil or, to the exclusive legislation over the same; or any other right than that of establishing, maintaining, and exclusively governing military and trading posts within the Indian territory mentioned in the said articles,

The senate consent to, and advise the ratification of the treaty, on condition that nothing contained in the 3d and 4th articles, (the next preceding treaty,) shall affect the claim of the state of Georgia to the right of pre-emption in the land therein set apart for military and trading posts, &c.

as long as the frontier of Georgia may require these establishments.”

Ratification
by the presi-
dent, with the
proviso and
condition an-
nexed by the
senate.

Now know ye, that I, having seen and considered the said treaty, do hereby accept, ratify, and confirm the same, and every article and clause thereof; under and subject to the proviso and condition mentioned and contained in the aforesaid resolution of the senate of the United States.

In testimony whereof, I have caused the seal of the United States to be hereunto affixed, and signed the same with my hand.

Given at the city of Philadelphia, the eighteenth day of March, in the year of our Lord one thousand seven hundred and ninety-seven, and in the twenty-first year of the sovereignty and independence of the United States of America.

JOHN ADAMS.

By the president of the United States:

TIMOTHY PICKERING, *secretary of state.*

Treaty with
the Creeks.

No. 3. A treaty of limits, between the United States of America and the Creek nation of Indians.

Thomas Jefferson, president of the United States of America, by James Wilkinson, of the state of Maryland, brigadier general in the army of the United States, Benjamin Hawkins, of North Carolina, and Andrew Pickens, of South Carolina, commissioners plenipotentiary of the United States, on the one part, and the kings, chiefs, head men, and warriors, of the Creek nation, in council assembled, on the other part, have entered into the following articles and conditions, viz:

Cession of
land by the
Creeks.

Art. 1. The kings, chiefs, head men, and warriors, of the Creek nation, in behalf of the said nation, do, by these presents, cede to the United States of America all that tract and tracts of land, situate, lying, and being, within and between the following bounds, and the lines and limits of the extinguished claims of the said nation, heretofore ascertained and established by treaty. That is to say; beginning at the upper extremity of the high shoals of the Appalachee river, the same being a branch of the Oconee river, and on the southern bank of the same; running thence a direct course to a noted ford of the south branch of Little river, called by the Indians Chattochuc-hatchee; thence a direct line to the main branch of Commissioners' creek, where the same is intersected by the path leading from the Rock Landing to the Ocmulgee Old Towns; thence a direct line to Palmetto creek, where the same is intersected by the Uchee path, leading from the Oconee to the Ocmulgee

Boundary of
the land ced-
ed.

river; thence down the middle waters of the said creek to Oconee river, and with the western bank of the same to its junction with the Ocmulgee river; thence across the Ocmulgee river to the south bank of the Altamaha river, and down the same, at low water mark, to the lower bank of Goose creek; and from thence by a direct line to the mounts, on the margin of the Okefinocau swamp, raised and established by the commissioners of the United States and Spain at the head of the St. Mary's river; thence down the middle waters of the said river, to the point where the old line of demarcation strikes the same, thence with the said old line to the Altamaha river, and up the same to Goose creek: and the said kings, chiefs, head men, and warriors, do relinquish and quit claim to the United States, all their right, title, interest, and pretensions, in and to the tract and tracts of land within and between the bounds and limits aforesaid, forever.

The Creeks
quit claim.

Art. 2. The commissioners of the United States, for and in consideration of the foregoing concession on the part of the Creek nation, and in full satisfaction for the same, do hereby covenant and agree with the said nation, in behalf of the United States, that the said states shall pay to the said nation, annually, and every year, the sum of three thousand dollars, and one thousand dollars for the term of ten years, to the chiefs who administer the government, agreeably to a certificate under the hands and seals of the commissioners of the United States, of this date, and also, twenty-five thousand dollars in the manner and form following, viz. Ten thousand dollars in goods and merchandise, the receipt of which is hereby acknowledged; ten thousand dollars to satisfy certain debts due from Indians and white persons of the Creek country to the factory of the United States; the said debts, after the payment aforesaid, to become the right and property of the Creek nation, and to be recovered for their use, in such way and manner as the president of the United States may think proper to direct; five thousand dollars to satisfy claims for property taken by individuals of the said nation, from the citizens of the United States, subsequent to the treaty of Colerain, which has been or may be claimed and established agreeably to the provisions of the act* for regulating trade and intercourse with the Indian tribes, and to preserve peace on the frontiers. And it is further agreed, that the United States shall furnish to the said nation two sets of blacksmith's tools, and men to work them, for the term of three years.

The United States pay to the Creeks, annually, \$3,000; \$1,000 for the term of ten years; and \$25,000 in the manner described.

Blacksmith's tools, &c.

Art. 3. It is agreed by the contracting parties, that the garrison or garrisons which may be found necessary for the protection of the frontiers, shall be established upon the land of the

Garrisons to be established on Indian lands, &c.

* See this act—part of chapter sec. 14.

(* See ante.
No. 2, art. 4,
of this chap.)

This treaty to
be obligatory
as soon as ra-
tified.

Indians, at such place or places as the president of the United States may think proper to direct, in the manner and on the terms established by the treaty of Colerain.*

Art. 4. The contracting parties to these presents do agree, that this treaty shall become obligatory and of full effect, so soon as the same shall be ratified by the president of the United States of America, by and with the advice and consent of the senate thereof.

In testimony whereof, the commissioners plenipotentiary of the United States, and the kings, chiefs, head men, and warriors, of the Creek nation, have hereunto subscribed their names and affixed their seals, at the camp of the commissioners of the United States, near fort Wilkinson, on the Oconee river, this sixteenth day of June, in the year of our Lord one thousand eight hundred and two, and of the independence of the United States the twenty-sixth.

James Wilkinson,	l. s.
Benjamin Hawkins,	l. s.
Andrew Pickens,	l. s.
Efau Haujo, his x mark,	
1 Tustunnuggee Thlucco, his x mark,	
2 Hopoie Micco, his x mark,	
3 Hopoie Olohtau, his x mark,	
Tallessee Micco, his x mark,	
Tussekia Micco, his x mark,	
Micco Thlucco, his x mark,	
Tuskenehau Chapco, his x mark,	
Chouwacke le Micco, his x mark,	
Toosce hatche Micco, his x mark,	
Hopoie Yauhohlo, his x mark,	
Hoithlewau le Micco, his x mark,	
Efau Haujo, of Cooloome, his x mark,	
Cussetuh Yauhohlo, his x mark,	
Wewocau Tustunnuggee, his x mark,	
Nehomahte Tustunnuggee, his x mark,	
Tustunu Haujo, his x mark,	
Hopoie Tustunnuggee, his x mark,	
Talchischau Micco, his x mark,	
Yaufkee Emautla Haujo, his x mark,	
Coosaudee Tustunnuggee, his x mark,	
Nenehomohtau Tustunnuggee Micco, his x mark,	
Isfaunau Tustunnuggee, his x mark,	
Eufaulau Tustunnuggee, his x mark,	
Tustunnuc Hoithlepoyuh, his x mark,	
Ishopei Tustunnuggee, his x mark,	
Cowetuh Tustunnuggee, his x mark,	
Hopoithle Haujo, his x mark,	
Wocsee Haujo, his x mark,	
Uctijutchee Tustunnuggee, his x mark,	
Okelesau Hutkee, his x mark,	
Pahose Micco, his x mark,	
Micke Emautlau, his x mark,	
Hoithlepoyau Haujo, his x mark,	
Cussetuh Haujo, his x mark,	
Ochesee Tustunnuggee, his x mark,	
Toosehatchee Haujo, his x mark,	
Isfaune Haujo, his x mark,	

Hopoithe Hopoie, his x mark,
 Olohtuh Emautlau, his x mark.

Timothy Barnard,
 Alexander Cornells, his x mark, } *interpreters*,
 Joseph Islands, his x mark,
 Alexander Macomb, junr. *secretary to the commission*.
 William R. Boote, *captain 2d regiment infantry*,
 T. Blackburn, *lieut. com. comp. G.*
 John B. Barnes, *lieut. United States' A.*
 Wm. Hill, *Asst. C. D.*
 Olohtau Haujo, his x mark,
 Talmass Haujo, his x mark,
 Auttossee Einautlaw, his x mark.

No. 4. A convention between the United States and the Creek nation of Indians, Treaty with concluded at the city of Washington, on the fourteenth day of November, the Creeks, in the year of our Lord one thousand eight hundred and five.

Articles of a convention made between Henry Dearborn, secretary of war, being specially authorized therefor by the president of the United States, and Oche Haujo, William McIntosh, Tuskenehau Chapco, Tuskenehau, Enehau Thlucco, Chekopeheke Emanthau, chiefs and head men of the Creek nation of Indians, duly authorized and empowered by said nation.

Art. 1. The aforesaid chiefs and head men do hereby agree, in consideration of certain sums of money and goods to be paid to the said Creek nation, by the government of the United States, as hereafter stipulated, to cede and forever quit claim, and do, in behalf of their nation, hereby cede, relinquish, and forever quit claim unto the United States, all right, title, and interest, which the said nation have or claim, in or unto a certain tract of land, situate between the rivers Oconee and Ocmulgee, (except as herein after excepted,) and bounded as follows, viz.

Beginning at the high shoals of Apalacha, where the line of the treaty of fort Wilkinson* touches the same, thence running in a straight line to the mouth of Ulocofauhatche, it being the first large branch or fork of the Ocmulgee, above the Seven Islands: provided however, that if the said line should strike the Ulocofauhatche, at any place above its mouth, that it shall continue round with that stream so as to leave the whole of it on the Indian side; then the boundary to continue from the mouth of the Ulocofauhatche, by the water's edge of the Ocmulgee river, down to its junction with the Oconee; thence up the Oconee to the present boundary at Tauloohatchee creek; thence up said creek, and following the present boundary line, to the first mentioned bounds, at the high shoals of Apalacha; excepting and reserving to the Creek nation, the title and possession of a tract of land, five miles in length and three in breadth, and

Cession by the Creeks of a tract of land between Oconee and Ocmulgee.

Boundary of the tract ceded.
 (* Ante, No. 3, art. 1, of this chapter.)
 Provision; as to the Ulocofauhatche.

Reservation to the Creeks.

Boundary of
the reserva-
tion to the
Creeks.

bounded as follows, viz. Beginning on the eastern shore of the Ocmulgee river, at a point three miles on a straight line above the mouth of a creek called Oakchoncoolgau, which empties into the Ocmulgee, near the lower part of what is called the old Ocmulgee fields: thence running three miles eastwardly, on a course at right angles with the general course of the river, for five miles below the point of beginning; thence from the end of the three miles, to run five miles parallel with the said course of the river; thence westwardly, at right angles with the last mentioned line, to the river; thence by the river to the first mentioned bounds.

The U. S. may
establish a mi-
litary post, on
the tract re-
served to the
Creeks.

And it is hereby agreed, that the president of the United States, for the time being, shall have a right to establish and continue a military post, and a factory or trading house, on said reserved tract; and to make such other use of the said tract as may be found convenient for the United States, as long as the government thereof shall think proper to continue the said military post or trading house. And it is also agreed, on the part of the Creek nation, that the navigation and fishery of the Ocmulgee, from its junction with the Oconee to the mouth of the Ulcofauhatche, shall be free to the white people; provided they use no traps for taking fish; but nets and seines may be used; which shall be drawn to the eastern shore only.

Navigation
and fishery of
Ocmulgee,
&c.

Horse path
from the Oc-
mulgee to the
Mobile.

Art. 2. It is hereby stipulated and agreed, on the part of the Creek nation, that the government of the United States shall forever hereafter have a right to a horse path, through the Creek country, from the Ocmulgee to the Mobile, in such direction as shall, by the president of the United States, be considered most convenient, and to clear out the same, and lay logs over the creeks: and the citizens of said states shall, at all times, have a right to pass peaceably on said path, under such regulations and restrictions, as the government of the United States shall, from time to time, direct; and the Creek chiefs will have boats kept at the several rivers for the conveyance of men and horses, and houses of entertainment established as suitable places on said path for the accommodation of travellers; and the respective ferriages and prices of entertainment for men and horses, shall be regulated by the present agent, col. Hawkins, or by his successor in office, or as is usual among white people.

Citizens to
pass peacea-
bly.

Boats at the
rivers.
Houses of en-
tertainment.
Ferriages,
prices, &c.

(* Of this
treaty.)

Art. 3. It is hereby stipulated and agreed, on the part of the United States, as a full consideration for the land ceded by the Creek nation in the first article,* as well as by permission granted for a horse path through their country, and the occupancy of the reserved tract, at the old Ocmulgee fields, that there shall be paid annually to the Creek nation, by the United States, for the term of eight years, twelve thousand dollars in money or goods, and implements of husbandry, at the option of the Creek nation, seasonably signified from time to time,

The United
States to pay
annually, for
eight years, to
the Creeks,

through the agent of the United States, residing with said nation, to the department of war; and eleven thousand dollars shall be paid in like manner, annually, for the term of the ten succeeding years making, in the whole, eighteen payments in the course of eighteen years, without interest. The first payment is to be made as soon as practicable after the ratification of this convention by the government of the United States; and each payment shall be made at the reserved tract, on the old Ocmulgee fields.

Art. 4. And it is hereby further agreed, on the part of the United States, that in lieu of all former stipulations relating to blacksmiths,† they will furnish the Creek nation, for eight years, with two blacksmiths and two strikers.*

Art. 5. The president of the United States may cause the line to be run from the high shoals of Apalacha, to the mouth of Ulofauhatche, at such time, and in such manner, as he may deem proper, and this convention shall be obligatory on the contracting parties as soon as the same shall have been ratified by the government of the United States.

Done at the place, and on the day and year above written.

H. Dearborn,	l. s.
Oche Haujo, his x mark,	l. s.
William McIntosh, his x mark,	l. s.
Tuskenchaw Chapco, his x mark,	l. s.
Tuskenchaw, his x mark,	l. s.
Enechaw Thlucco, his x mark,	l. s.
Chekopeheke Enianthau, his x mark,	l. s.

Signed and sealed in presence of

James Madison,
Rt. Smith,
Benjamin Hawkins,
Timothy Barnard,
Jno. Smith,
Andrew McClary.

The foregoing articles have been faithfully interpreted.

TIMOTHY BARNARD, *interpreter.*

No. 5. Articles of agreement and capitulation, made and concluded this ninth day of August, one thousand eight hundred and fourteen, between major general Andrew Jackson, on behalf of the president of the United States of America, and the chiefs, deputies, and warriors, of the Creek nation.

Whereas an unprovoked, inhuman, and sanguinary war, waged by the hostile Creeks against the United States, hath been repelled, prosecuted, and determined, successfully on the part of the said states, in conformity with principles of national justice and honorable warfare: and whereas, consideration is

* See ante, No. 3, art. 2, of this chapter.

Reference to
acts of hostility
on the part
of the Creeks.

(* See ante,
No. 1, of this
chapter.)

Good faith of
the United
States, &c.

The United
States de-
mand an equi-
valent for ex-
penses, &c.

Boundary of
the equivalent
demanded,
&c.

due to the rectitude of proceeding dictated by instructions relating to the re-establishment of peace: be it remembered, that, prior to the conquest of that part of the Creek nation, hostile to the United States, numberless aggressions had been committed against the peace, the property, and the lives, of citizens of the United States, and those of the Creek nation in amity with her, at the mouth of Duck river, fort Mimms, and elsewhere, contrary to national faith, and the regard due to an article of the treaty concluded at New-York, in the year 1790,* between the two nations: that the United States, previous to the perpetration of such outrages, did, in order to insure future amity and concord between the Creek nation and the said states, in conformity with the stipulations of former treaties, fulfil, with punctuality and good faith, her engagements to the said nation: that more than two-thirds of the whole number of chiefs and warriors of the Creek nation, disregarding the genuine spirit of existing treaties, suffered themselves to be instigated to violations of their national honor, and the respect due to a part of their own nation, faithful to the United States and the principles of humanity, by impostors denominating themselves prophets, and by the duplicity and misrepresentation of foreign emissaries, whose governments are at war, open or understood, with the United States. Wherefore, 1st. The United States demand an equivalent for all expenses incurred in prosecuting the war to its termination, by a cession of all the territory belonging to the Creek nation, within the territories of the United States, lying west, south, and southeastwardly, of a line to be run and described by persons duly authorized and appointed by the president of the United States: beginning at a point on the eastern bank of the Coosa river, where the south boundary line of the Cherokee nation crosses the same; running from thence down the said Coosa river, with its eastern bank, according to its various meanders, to a point one mile above the mouth of Cedar creek, at fort Williams, thence east two miles, thence south two miles, thence west, to the eastern bank of the said Coosa river, thence down the eastern bank thereof, according to its various meanders, to a point opposite the upper end of the great falls, (called by the natives Woetumka,) thence east, from a true meridian line, to a point due north of the Ofuskee, thence south, by a like meridian line, to the mouth of Ofuskee, on the south side of the Tallapoosa river, thence up the same, according to its various meanders, to a point where a direct course will cross the same, at the distance of ten miles from the mouth thereof, thence a direct line to the mouth of Summochico creek, which empties into the Chatahouchie river, on the east side thereof, below the Eufaulau town, thence east, from a true meridian line, to a point which shall intersect the line now dividing the lands claimed by the said Creek nation from those claimed

and owned by the state of Georgia : provided, nevertheless, that where any possession of any chief or warrior of the Creek nation, who shall have been friendly to the United States during the war, and taken an active part therein, shall be within the territory ceded by these articles to the United States, every such person shall be entitled to a reservation of land within the said territory, of one mile square, to include his improvements, as near the centre thereof as may be, which shall inure to the said chief or warrior, and his descendants, so long as he or they shall continue to occupy the same, who shall be protected by, and subject to, the laws of the United States ; but upon the voluntary abandonment thereof, by such possessor or his descendants, the right of occupancy or possession of said lands shall devolve to the United States, and be identified with the right of property ceded hereby.

Reservation
in favor of
friendly Creek
chiefs, &c.

Art. 2. The United States will guarantee to the Creek nation, the integrity of all their territory eastwardly and northwardly of the said line, to be run and described as mentioned in the first article.

Guarantee of
remaining
Creek territory.

Art. 3. The United States demand that the Creek nation abandon all communication, and cease to hold any intercourse, with any British or Spanish post, garrison, or town ; and that they shall not admit among them any agent or trader, who shall not derive authority to hold commercial, or other intercourse with them, by license from the president or authorized agent of the United States.

Creeks to hold
no communication
with
British or
Spanish posts;
nor admit
traders, except, &c.

Art. 4. The United States demand an acknowledgment of the right to establish military posts and trading houses, and to open roads within the territory guarantied to the Creek nation by the second article, and a right to the free navigation of all its waters.

Right to establish
military
posts.

Art. 5. The United States demand, that a surrender be immediately made, of all the persons and property taken from the citizens of the United States, the friendly part of the Creek nation, the Cherokee, Chickasaw, and Choctaw nations, to the respective owners ; and the United States will cause to be immediately restored to the formerly hostile Creeks, all the property taken from them since their submission, either by the United States, or by any Indian nation in amity with the United States, together with all the prisoners taken from them during the war.

Surrender of
persons and
property of
citizens,
friendly
Creeks, &c.

Art. 6. The United States demand the caption and surrender of all the prophets and instigators of the war, whether foreigners or natives, who have not submitted to the arms of the United States, and become parties to these articles of capitulation, if ever they shall be found within the territory guarantied to the Creek nation by the second article.

Surrender of
prophets, &c.

The United States to furnish necessities of life till the crops are sufficient.

Trading houses.

Permanent peace.

Course of the line, in case the one mentioned in art. 1st should include the Kinnards. See art. 1, ante, of this chap.

The preceding articles confirmed by the parties.

Art. 7. The Creek nation being reduced to extreme want, and not at present having the means of subsistence, the United States, from motives of humanity, will continue to furnish, gratuitously, the necessities of life, until the crops of corn can be considered competent to yield the nation a supply, and will establish trading houses in the nation, at the discretion of the president of the United States, and at such places as he shall direct, to enable the nation, by industry and economy, to procure clothing.

Art. 8. A permanent peace shall ensue from the date of these presents, forever, between the Creek nation and the United States, and between the Creek nation and the Cherokee, Chickasaw, and Choctaw nations.

Art. 9. If, in running east from the mouth of Summochee creek, it shall so happen that the settlement of the Kinnards fall within the lines of the territory hereby ceded, then, and in that case, the line shall be run east, in a true meridian, to Kitchofoonee creek, thence, down the middle of said creek, to its junction with Flint river, immediately below the Oakmulgee town, thence, up the middle of Flint river, to a point due east of that at which the above line struck the Kitchofoonee creek, thence east to the old line hereinbefore mentioned: to wit, the line dividing the lands claimed by the Creek nation from those claimed and owned by the state of Georgia.

The parties to these presents, after due consideration, for themselves and their constituents, agree to ratify and confirm the preceding articles, and constitute them the basis of a permanent peace between the two nations; and they do hereby solemnly bind themselves, and all the parties concerned and interested, to a faithful performance of every stipulation contained therein.

In testimony whereof, they have hereunto, interchangeably, set their hands and affixed their seals, the day and date above written.

Andrew Jackson, <i>maj. gen. comd'g 7th m. dist.</i>	I. s.
Tustunnuggee Thlucco, speaker for the Upper Creeks, his x mark,	I. s.
Micco Aupoegau, of Toukaubatchee, his x mark,	I. s.
Tustunnuggee Hopoiee, speaker of the Lower Creeks, his x mark,	I. s.
Micco Achulce, of Cowetau, his x mark,	I. s.
William McIntosh, jr. major of Cowetau, his x mark,	I. s.
Tuskee Encah, of Cussetau, his x mark,	I. s.
Fauie Emautla, of Cussetau, his x mark,	I. s.
Toukaubatchee Tustunnuggee, of Hitchetee, his x mark,	I. s.
Noble Kinnard, of Hitchetec, his x mark,	I. s.
Hopoiee Hutkee, of Souwagoolo, his x mark,	I. s.
Hopoiee Hutkee, for Hopoie Yoholo, of Souwagoolo, his x mark,	I. s.
Folappo Haujo, of Eufaulau, on Chattochochee, his x mark,	I. s.
Pachee Haujo, of Apalachoocla, his x mark,	I. s.
Timpoechee Bernard, captain of Uchees, his x mark,	I. s.
I chee Micco, his x mark,	I. s.
Yoholo Micco, of Kialjee, his x mark,	I. s.

Socoskee Emautla, of Kialijee, his x mark,	l. s.
Choochchau Haujo, of Wococoi, his x mark,	l. s.
Esholottee, of Nauchee, his x mark,	l. s.
Yoholo Micco, of Tallapoosa Eufaulau, his x mark,	l. s.
Stinthellis Haujo, of Abecoochee, his x mark,	l. s.
Ocfuskee Yoholo, of Toutacaugee, his x mark,	l. s.
John O'Kelly, of Coosa,	l. s.
Eneah Thlucco, of Innookfau, his x mark,	l. s.
Espokokoke Haujo, of Wewoko, his x mark,	l. s.
Eneah Thlucco Hopoiee, of Talessee, his x mark,	l. s.
Efau Haujo, of Puccan Tallahassee, his x mark,	l. s.
Talessee Fixico, of Ocheobofau, his x mark,	l. s.
Nomatlee Emautla, or captain Isaacs, of Cousoudee, his x mark,	l. s.
Tuskegee Emautla, or John Carr, of Tuskegee, his x mark,	l. s.
Alexander Grayson, of Hillabee, his x mark,	l. s.
Lowee, of Ocmulgee, his x mark,	l. s.
Nocoosee Emautla, of Chuskee Tallafau, his x mark,	l. s.
William M'Intosh, for Hopoiee Haujo, of Ooseoochee, his x mark,	l. s.
William M'Intosh, for Chehahaw Tustunnuggee, of Chehahaw, his x mark,	l. s.
William M'Intosh, for Spokokee Tustunnuggee, of Otellewhoyonne, his x mark,	l. s.

Done at fort Jackson, in presence of

Charles Cassedy, *acting secretary,*
 Benjamin Hawkins, *agent for Indian affairs,*
 Return J. Meigs, *a. C. nation,*
 Robert Butler, *adjutant general U. States' army,*
 J. C. Warren, *assistant agent for Indian affairs.*
 George Mayfield, }
 Alexander Curnels, } *public interpreters.*
 George Lovett, }

No. 6. A treaty of limits between the United States and the Creek nation of Indians, made and concluded at the Creek Agency, on Flint river, the twenty-second day of January, in the year of our Lord one thousand eight hundred and eighteen. Treaty with the Creeks.
Creek agency,
22d Jan. 1818,

James Monroe, president of the United States of America, by David Brydie Mitchell, of the state of Georgia, agent of Indian affairs for the Creek nation, and sole commissioner, specially appointed for that purpose, on the one part, and the undersigned kings, chiefs, head men, and warriors, of the Creek nation, in council assembled, on behalf of the said nation, of the other part, have entered into the following articles and conditions, viz:

Art. 1. The said kings, chiefs, head men, and warriors, do hereby agree, in consideration of certain sums of money to be paid to the said Creek nation, by the government of the United States, as hereinafter stipulated, to cede and forever quit claim, and do, in behalf of their said nation, hereby cede, relinquish, and forever quit claim, unto the United States, all right, title, and interest, which the said nation have, or claim, in or unto, the two following tracts of land, situate, lying, and being, within the following bounds; that is to say: 1st. Be- The Creeks cede two tracts of land to the United States.

1. Bounds of the first tract.

(* Ante, No. 5, of this chapter.)

2. Bounds of the second tract.

The United States to pay 20,000 dollars within the year, and 10,000 dolls. annually, for ten years, as compensation for the lands ceded.

Two blacksmiths and strikers for three years.

The president may cause boundary lines to be run.

This treaty obligatory when ratified.

ginning at the mouth of Goose creek, on the Alatomahau river, thence, along the line leading to the Mounts, at the head of St. Mary's river, to the point where it is intersected by the line run by the commissioners of the United States, under the treaty of fort Jackson,* thence, along the said last mentioned line, to a point where a line, leaving the same, shall run the nearest and a direct course, by the head of a creek called by the Indians Alcasalekie, to the Ocmulgee river; thence, down the said Ocmulgee river, to its junction with the Oconee, the two rivers there forming the Alatomahau; thence, down the Alatomahau, to the first mentioned bounds, at the mouth of Goose creek.

2d. Beginning at the high shoals of the Appalachee river, and from thence, along the line designated by the treaty made at the city of Washington, on the fourteenth day of November, one thousand eight hundred and fifteen, to the Ulcofouhatchie, it being the first large branch, or fork, of the Ocmulgee, above the Seven Islands; thence, up the eastern bank of the Ulcofouhatchie, by the water's edge, to where the path, leading from the high shoals of the Appalachie to the shallow ford on the Chatahochie, crosses the same; and, from thence, along the said path, to the shallow ford on the Chatahochie river; thence, up the Chatahochie river, by the water's edge, on the eastern side, to Suwannee old town; thence, by a direct line, to the head of Appalachie; and thence, down the same, to the first mentioned bounds at the high shoals of Appalachie.

Art. 2. It is hereby stipulated and agreed, on the part of the United States, as a full consideration for the two tracts of land ceded by the Creek nation in the preceding article, that there shall be paid to the Creek nation by the United States, within the present year, the sum of twenty thousand dollars, and ten thousand dollars shall be paid annually for the term of ten succeeding years, without interest; making, in the whole, eleven payments in the course of eleven years, the present year inclusive; and the whole sum to be paid, one hundred and twenty thousand dollars.

Art. 3. And it is hereby further agreed, on the part of the United States, that, in lieu of all former stipulations relating to blacksmiths, they will furnish the Creek nation for three years with two blacksmiths and strikers.

Art. 4. The president may cause any line to be run which may be necessary to designate the boundary of any part of both, or either, of the tracts of land ceded by this treaty, at such time, and in such manner, as he may deem proper. And this treaty shall be obligatory on the contracting parties as soon as the same shall be ratified by the government of the United States.

Done at the place, and on the day and year before written.

D. B. MITCHELL.

Tustunnugee Thlucco, his x mark,
 Tustunnugee Hopoie, his x mark,
 William M'Intosh,
 Tuskeenchaw, his x mark,
 Hopoie Haujo, his x mark,
 Cotchau Haujo, his x mark,
 Inthlanis Haujo, his x mark,
 Cowetau Micco, his x mark,
 Cusselau Micco, his x mark,
 Eufaulu Micco, his x mark.
 Hopoethle Haujo, his x mark,
 Hopoie Hatkee, his x mark,
 Yoholo Micco, his x mark,
 Tustunnugee, his x mark,
 Fatuske Henchau, his x mark,
 Yauhau Haujo, his x mark,
 Tuskeegee Emautla, his x mark,
 Tustunnugee Hoithleloco, his x mark.

Present :

D. Brearly, *col. 7th inf.*
 Wm. S. Mitchell, *ast. agent, I. A. C. N.*
 M. Johnson, *lt. corps of Artillery,*
 Sl. Hawkins,
 George [G. L.] Lovett, } *interpreters.*

No. 7. Articles of a treaty entered into at the Indian Spring, in the Creek Treaty with nation, by Daniel M. Fomey, of the state of North Carolina, and David Me-the Creeks. riwether, of the state of Georgia, specially appointed for that purpose, on Indian Spring, the part of the United States; and the chiefs, head men, and warriors, of the 8th Jan. 1821. Creek nation, in council assembled.

Art. 1. The chiefs, head men, and warriors, of the Creek The Creeks
 nation, in behalf of the said nation, do, by these presents, cede cede land.
 to the United States all that tract or parcel of land, situate, ly-
 ing, and being, east of the following bounds and limits, viz :
 Beginning on the east bank of Flint river, where Jackson's line
 crosses, running thence, up the eastern bank of the same, along
 the water's edge, to the head of the principal western branch ;
 from thence, the nearest and a direct line, to the Chatahooche
 river, up the eastern bank of the said river, along the water's
 edge, to the shallow Ford, where the present boundary line be-
 tween the state of Georgia and the Creek nation touches the
 said river : *Provided, however,* That, if the said line should
 strike the Chatahooche river, below the Creek village Buzzard-
 Roost, there shall be a set-off made, so as to leave the said vil-
 lage one mile within the Creek nation ; excepting and reserv-
 ing to the Creek nation the title and possession, in the manner
 and form specified, to all the land hereafter excepted, viz : one
 thousand acres, to be laid off in a square, so as to include the
 Indian Spring in the centre thereof ; as, also, six and forty acres
 on the western bank of the Oakmulgee river, so as to include
 the improvements at present in the possession of the Indian
 chief general M'Intosh.

Boundaries of
 the cession.

Proviso; a set-
 off, if the line,
 strikes below
 Buzzard-
 Roost.

Reservations
 to the Creek.

Title and possession of tracts in the Creek nation, as long as the occupants remain, &c.

Art. 2. It is hereby stipulated, by the contracting parties, that the title and possession of the following tracts of land shall continue in the Creek nation so long as the present occupants shall remain in the personal possession thereof, viz: one mile square, each, to include, as near as may be, in the centre thereof, the improvements of Michey Barnard, James Barnard, Buckey Barnard, Cussena Barnard, and Efaucemathlaw, on the east side of Flint river; which reservations shall constitute a part of the cession made by the first article, so soon as they shall be abandoned by the present occupants.

Reservations for the United States' agency to the Creek nation.

Art. 3. It is hereby stipulated, by the contracting parties, that so long as the United States continue the Creek agency at its present situation on Flint river, the land included within the following boundary, viz: beginning on the east bank of Flint river, at the mouth of the Boggy Branch, and running out, at right angles, from the river, one mile and a half; thence up, and parallel with, the river, three miles: thence, parallel with the first line, to the river; and thence, down the river, to the place of beginning; shall be reserved to the Creek nation for the use of the United States' agency, and shall constitute a part of the cession made by the first article, whenever the agency shall be removed.

Payment for the land ceded by the Creek nation.

Art. 4. It is hereby stipulated and agreed, on the part of the United States, as a consideration for the land ceded by the Creek nation by the first article, that there shall be paid to the Creek nation, by the United States, ten thousand dollars in hand, the receipt whereof is hereby acknowledged; forty thousand dollars as soon as practicable after the ratification of this convention; five thousand dollars, annually, for two years thereafter; sixteen thousand dollars, annually, for five years thereafter; and ten thousand dollars, annually, for six years thereafter; making, in the whole, fourteen payments in fourteen successive years, without interest, in money or goods and implements of husbandry, at the option of the Creek nation, seasonably signified, from time to time, through the agent of the United States residing with said nation, to the department of war. And, as a further consideration for said cession, the United States do hereby agree to pay to the state of Georgia whatever balance may be found due by the Creek nation to the citizens of said state, whenever the same shall be ascertained, in conformity with the reference made by the commissioners of Georgia, and the chiefs, head men, and warriors, of the Creek nation, to be paid in five annual instalments, without interest, provided the same shall not exceed the sum of two hundred and fifty thousand dollars; the commissioners of Georgia executing to the Creek nation a full and final relinquishment of all the claims of the citizens of Georgia against the Creek nation, for property taken or destroyed prior to the act of Con-

The U. S. to pay to the state of Georgia the balance due by the Creek nation.

Commissioners of Georgia to execute a full and final release.

gress of one thousand eight hundred and two, regulating the intercourse with the Indian tribes.*

Art. 5. The president of the United States shall cause the line to be run from the head of Flint river to Chatahooche river, and the reservations made to the Creek nation to be laid off, in the manner specified in the first, second, and third, articles of this treaty, at such time and in such manner as he may deem proper, giving timely notice to the Creek nation; and this convention shall be obligatory on the contracting parties, as soon as the same shall have been ratified by the government of the United States.

Done at the Indian Spring, this eighth day of January, A.
D. eighteen hundred and twenty-one.

D. M. Forney,
D. Meriwether,
Wm. McIntosh,
Tustunnuggee Hopoie, his x mark,
Efau Emauthlau, his x mark,
Holoughlan, or col. Bluc, his x mark,
Cussetau Micco, his x mark,
Sotetan Haujo, his x mark,
Etomme Tustunnuggee, his x mark,
Taskagee Emauthlau, his x mark,
Tuckle Luslee, his x mark,
Tuckte Lustee Haujo, his x mark,
Conepee Emauthlau, his x mark,
Hothlepoie, his x mark,
Tuskeenahocki, his x mark,
Chaughle Micco, his x mark,
Isfaune Tustunnuggee Haujo, his x mark,
Wau Thlucco Haujo, his x mark,
Itchu Haujo, his x mark,
Alabama Tustunnuggee, his x mark,
Holoughlan Tustunnuggee, his x mark,
Auhauluck Yohola, his x mark,
Oseache Tustunnuggee, his x mark,
Houpauthlee Tustunnuggee, his x mark,
Nenchauoughtoochie, his x mark,
Henelau Tixico, his x mark,
Tusekeagh Haujo, his x mark,
Joseph Marshall.

In presence of

I. McIntosh,
David Adams, } *commissioners of Georgia,*
Daniel Newman,
D. B. Mitchell, *agent for I. A.*
William Meriwether, *secretary U. S. C.*
William Cook, *secretary C. G.*
William Humbly,
Sl. Hawkins, } *interpreters.*
George Lovett.

* See the act referred to chap. of this volume.

Agreement
between the
commissioners
of Georgia and
the Creeks.
8th Jan. 1821.

Articles of agreement entered into, between the undersigned commissioners, appointed by the governor of the state of Georgia, for and on behalf of the citizens of the said state, and the chiefs, head men, and warriors, of the Creek nation of Indians.

Whereas, at a conference opened and held at the Indian Spring, in the Creek nation, the citizens of Georgia, by the aforesaid commissioners, have represented that they have claims to a large amount against the said Creek nation of Indians: Now, in order to adjust and bring the same to a speedy and final settlement, it is hereby agreed by the aforesaid commissioners, and the chiefs, head men, and warriors, of the said nation, that all the talks had upon the subject of these claims at this place, together with all claims on either side, of whatever nature or kind, prior to the act of Congress of one thousand eight hundred and two, regulating the intercourse with the Indian tribes, with the documents in support of them, shall be referred to the decision of the president of the United States, by him to be decided upon, adjusted, liquidated, and settled, in such manner, and under such rules, regulations, and restrictions, as he shall prescribe: *Provided, however*, if it should meet the views of the president of the United States, it is the wish of the contracting parties, that the liquidation and settlement of the aforesaid claims shall be made in the state of Georgia, at such place as he may deem most convenient for the parties interested, and the decision and award, thus made and rendered, shall be binding and obligatory upon the contracting parties.

In witness whereof, we have hereunto set our hands and seals, this eighth day of January, one thousand eight hundred and twenty-one.

J. McIntosh,
David Adams,
Daniel Newman,
William McIntosh,
Tustunnuggee Hopoi, his x mark,
Efau Emauthlau, his x mark.

Present,

D. M. Forney,
D. Meriwether.

Discharge for
all claims on
the Creeks.
Mineral
Spring, 8th
Jan. 1821.

Whereas a treaty or convention has this day been made and entered into, by and between the United States and the Creek nation, by the provisions of which the United States have agreed to pay, and the commissioners of the state of Georgia have agreed to accept, for and on behalf of the citizens of the state of Georgia, having claims against the Creek nation, prior to the year one thousand eight hundred and two, the sum of two hundred and fifty thousand dollars:

The commis-
sioners release

Now, know all men by these presents, that we, the undersigned, commissioners of the state of Georgia, for, and in con-

sideration of, the aforesaid sum of two hundred and fifty thousand dollars, secured by the said treaty or convention to be paid to the state of Georgia, for the discharge of all bona fide and liquidated claims, which the citizens of the said state may establish against the Creek nation, do, by these presents, release, exonerate, and discharge, the said Creek nation from all and every claim and claims, of whatever description, nature, or kind, the same may be, which the citizens of Georgia now have, or may have had, prior to the year one thousand eight hundred and two, against the said nation. And we do hereby assign, transfer, and set over, unto the United States, for the use and benefit of the said Creek nation, for the consideration hereinbefore expressed, all the right, title, and interest, of the citizens of the said state, to all claims, debts, damages, and property, of every description and denomination, which the citizens of the said state have, or had, prior to the year one thousand eight hundred and two, as aforesaid, against the said Creek nation.

the Creeks
from all claims
prior to 1802.

And transfer
them to the U.
States, for the
benefit of the
Creeks.

In witness whereof, we have hereunto affixed our hands and seals, at the Mineral Spring, in the said Creek nation, this eighth day of January, one thousand eight hundred and twenty-one.

J. McIntosh,
David Adams,
Daniel Newman.

Present,

D. M. Forney,
D. Meriwether,
D. B. Mitchell, *agent for Indian affairs.*

Art. 8. Articles of a convention, entered into and concluded at the Indian Treaty with Springs, between Duncan G. Campbell, and James Meriwether, commissioners on the part of the United States of America, duly authorized, and Indians, the chiefs of the Creek nation, in council assembled.

Whereas the said commissioners, on the part of the United States, have represented to the said Creek nation, that it is the policy and earnest wish of the General Government, that the several Indian tribes within the limits of any of the states of the union should remove to territory to be designated on the west side of the Mississippi river, as well for the better protection and security of said tribes, and their improvement in civilization, as for the purpose of enabling the United States, in this instance, to comply with the compact entered into with the state of Georgia, on the twenty-fourth day of April, in the year one thousand eight hundred and two: And the said commissioners having laid the late message of the president of the United States, upon this subject, before a general council of said Creek nation, to the end that their removal might be effected upon terms advantageous to both parties:

And whereas the chiefs of the Creek towns have assented to the reasonableness of said proposition, and expressed a willingness to emigrate beyond the Mississippi, *those of Tokaubatchee excepted* :

Lands ceded to them. These presents therefore witness, that the contracting parties have this day entered into the following convention :

Art. 1. The Creek nation cede to the United States all the lands lying within the boundaries of the state of Georgia, as defined by the compact hereinbefore cited, now occupied by said nation, or to which said nation have title or claim; and also, all other lands which they now occupy, or to which they have title or claim, lying north and west of a line to be run from the first principal falls upon the Chatahoochie river, above Cowetau town, to Ockfuskee Old Town, upon the Tallapoosa, thence to the falls of the Coosaw river, at or near a place called the Hickory Ground.

Further agreement between the contracting parties.

Art. 2. It is further agreed between the contracting parties, that the United States will give, in exchange for the lands hereby acquired, the like quantity, acre for acre, westward of the Mississippi, on the Arkansas river, commencing at the mouth of the Canadian Fork thereof, and running westward between said rivers Arkansas and Canadian Fork, for quantity. But whereas said Creek nation have considerable improvements within the limits of the territory hereby ceded, and will moreover have to incur expenses in their removal, it is further stipulated, that, for the purpose of rendering a fair equivalent for the losses and inconveniences which said nation will sustain by removal, and to enable them to obtain supplies in their new settlement, the United States agree to pay to the nation emigrating from the lands herein ceded, the sum of four hundred thousand dollars, of which amount there shall be paid to said party of the second part, as soon as practicable, after the ratification of this treaty, the sum of two hundred thousand dollars. And as soon as the said party of the second part shall notify the government of the United States of their readiness to commence their removal, there shall be paid the further sum of one hundred thousand dollars. And the first year after said emigrating party shall have settled in their new country, they shall receive of the amount first above named, the further sum of twenty-five thousand dollars. And the second year, the sum of twenty-five thousand dollars. And annually, thereafter, the sum of five thousand dollars, until the whole is paid.

Annuities to be equally divided.

Art. 3. And whereas the Creek nation are now entitled to annuities of thirty thousand dollars each,* in consideration of cessions of territory heretofore made, it is further stipulated, that said last mentioned annuities are to be hereafter divided in a

* A mistake.—All the annuities to which the Creek nation is entitled, amount to about this sum.

just proportion between the party emigrating and those that may remain.

Art. 4. It is further stipulated, that a deputation from the said parties of the second part, may be sent out to explore the territory herein offered them in exchange; and if the same be not acceptable to them, then they may select any other territory, west of the Mississippi, on Red, Canadian, Arkansas, or Missouri rivers—the territory occupied by the Cherokees and Choctaws excepted; and if the territory so to be selected shall be in the occupancy of other Indian tribes, then the United States will extinguish the title of such occupants for the benefit of said emigrants.

Territory offered said Indians to be explored.

Art. 5. It is further stipulated, at the particular request of the said parties of the second part, that the payment and disbursement of the first sum herein provided for, shall be made by the present commissioners negotiating this treaty.

Payment, &c. of the first sum to be paid by the commissioners.

Art. 6. It is further stipulated, that the payments appointed to be made, the first and second years, after settlement in the west, shall be either in money, merchandise, or provisions, at the option of the emigrating party.

Other payments to be made in such manner as said Indians may choose.

Art. 7. The United States agree to provide and support a blacksmith and wheelwright for the said party of the second part, and give them instruction in agriculture, as long, and in such manner, as the president may think proper.

Provision to be made by the United States.

Art. 8. Whereas the said emigrating party cannot prepare for immediate removal, the United States stipulate, for their protection against the encroachments, hostilities, and impositions, of the whites, and of all others; but the period of removal shall not extend beyond the first day of September, in the year eighteen hundred and twenty-six.

Extension of the time of their removal.

Art. 9. This treaty shall be obligatory on the contracting parties, so soon as the same shall be ratified by the president of the United States, by and with the consent of the senate thereof.

This treaty to take effect when ratified.

In testimony whereof, the commissioners aforesaid, and the chiefs and head men of the Creek nation, have hereunto set their hands and seals, this twelfth day of February, in the year of our Lord one thousand eight hundred and twenty-five.

Duncan G. Campbell,	1. s.
James Meriwether,	1. s.
<i>Commissioners on the part of the United States.</i>	
William M'Intosh, head chief of Cowetaus,	1. s.
Etommee Tustunnuggee, of Cowetau,	
his x mark,	1. s.
Holahtau, or col. Blue, his x mark,	1. s.
Cowetau Tustunnuggee, his x mark,	1. s.
Artus Mico, or Roby M'Intosh, his x mark,	1. s.
Chilly M'Intosh,	1. s.

Joseph Marshall,	l. s.
Athlan Hajo, his x mark,	l. s.
Tuskenahah, his x mark,	l. s.
Benjamin Marshall,	l. s.
Coccus Hajo, his x mark,	l. s.
Forshatepu Mico, his x mark,	l. s.
Oethlamata Tustunnuggee, his x mark,	l. s.
Tallasee Hajo, his x mark,	l. s.
Luskegee Tustunnuggee, his x mark,	l. s.
Foshajee Tustunnuggee, his x mark,	l. s.
Emau Chuccolocana, his x mark,	l. s.
Abeco Tustunnuggee, his x mark,	l. s.
Hijo Hajo, his x mark,	l. s.
Thla Tho Hajo, his x mark,	l. s.
Tomico Holueto, his x mark,	l. s.
Yah Te Ko Hajo, his x mark,	l. s.
No co see Emautla, his x mark,	l. s.
Col. Wm. Miller, Thleatchca, his x mark,	l. s.
Abeco Tustunnuggee, his x mark,	l. s.
Hoethlepoga Tustunnuggee, his x mark,	l. s.
Hepocoke Emautla, his x mark,	l. s.
Samuel Miller, his x mark,	l. s.
Tomoc Mico, his x mark,	l. s.
Charles Miller, his x mark,	l. s.
Tallasee Hajo, or John Carr, his x mark,	l. s.
Otulga Emautla, his x mark,	l. s.
Ahalaco Yoholo, of Cusetau, his x mark,	l. s.
Walucco Hajo, of New Yauco, his x mark,	l. s.
Cohausee Emautla, do. his x mark,	l. s.
Nincomau Tochee, do. his x mark,	l. s.
Konope Emautla, Sand Town, his x mark,	l. s.
Chawacala Mico, Sand Town, his x mark,	l. s.
Footalustee Emautla, do. his x mark,	l. s.
Josiah Gray, from Hitchatee, his x mark,	l. s.
William Kannard, do. his x mark,	l. s.
Neha Thlucto Hatkee, do. his x mark,	l. s.
Halathla Fixico, from Big Shoal, his x mark,	l. s.
Alex. Lasley, from Tallcdega, his x mark,	l. s.
Espokoke Hajo, do. his x mark,	l. s.
Emautla Hajo, do. his x mark,	l. s.
Nincomatachee, do. his x mark,	l. s.
Chuhah Hajo, do. his x mark,	l. s.
Efie Emautla, do. his x mark,	l. s.
Atausee Hopoie, do. his x mark,	l. s.
James Fife, do. his x mark,	l. s.

Executed on the day as above written, in presence of

John Crowell, agent for Indian affairs,

Wm. F. Hay, secretary,

Wm. Meriwether,

Wm. Hambly, U. S. interpreter.

Whereas, by a stipulation in the treaty of the Indian Springs, in 1821, there was a reserve of land made to include the said Indian Springs for the use of general William McIntosh, be it therefore known to all whom it may concern, that we, the undersigned chiefs and head men of the Creek nation, do hereby agree to relinquish all the right, title, and control of the Creek nation to the said reserve, unto him the said William McIntosh,

tosh and his heirs, forever, in as full and ample a manner as we are authorized to do.

Big B. W. Warrior,
Yoholo Micco, his x mark,
Little Prince, his x mark,
Hopoié Hadjo, his x mark,
Tuskehenaliau, his x mark,
Oakefuska Yohola, his x mark,
John Crowell, agent for Indian affairs.

July 25, 1825.

Whereas the foregoing articles of convention have been concluded between the parties thereto: And, whereas, the Indian chief, general William M'Intosh, claims title to the Indian Spring reservation (upon which there are very extensive buildings and improvements) by virtue of a relinquishment to said M'Intosh, signed in full council of the nation: And whereas the said general William M'Intosh hath claim to another reservation of land on the Ocmulgee river, and by his lessee and tenant, is in possession thereof: Additional article.

Now these presents further witness, that the said general William M'Intosh, and also the chiefs of the Creek nation, in council assembled, do quit claim, convey, and cede to the United States, the reservations aforesaid, for, and in consideration of, the sum of twenty-five thousand dollars, to be paid at the time and in the manner as stipulated, for the first instalment provided for in the preceding treaty. Upon the ratification of these articles, the possession of said reservations shall be considered as passing to the United States, and the accruing rents of the present year shall pass also.

In testimony whereof, the said commissioners, on the part of the United States, and the said William M'Intosh and the chiefs of the Creek nation, have hereunto set their hands and seals, at the Indian Springs, this fourteenth day of February, in the year of our Lord one thousand eight hundred and twenty-five.

Duncan G. Campbell,	l. s.
James Meriwether,	l. s.

U. S. Commissioners.

William M'Intosh,	l. s.
Eetommee Tustunnuggee, his x mark,	l. s.
Tuskegohi Tustunnuggee, his x mark,	l. s.
Cowetau Tustunnuggee, his x mark,	l. s.
Col. Wm. Miller, his x mark,	l. s.
Josiah Gray, his x mark,	l. s.
Nehathlucco Hatchee, his x mark,	l. s.
Alexander Lasley, his x mark,	l. s.
William Canard, his x mark,	l. s.

Witnesses at execution:

Wm. F. Hay, secretary,
Wm. Hambly, United States' Interpreter.

CHAPTER IX.

Treaty with the Kaskaskia tribe of Indians.

Treaty with
the Kaskas-
kias.

No. 1. Articles of a treaty made at Vincennes, in the Indian territory, between William Henry Harrison, governor of the said territory, superintendent of Indian affairs, and commissioner plenipotentiary of the United States, for concluding any treaty or treaties which may be found necessary with any of the Indian tribes, northwest of the river Ohio, of the one part, and the head chiefs and warriors of the Kaskaskia tribe of Indians, so called, (but which tribe is the remains and rightfully represent all the tribes of the Illinois Indians, originally called the Kaskaskia, Mitchigamia, Cahokia, and Tamari, of the other part.

Illinois In-
dians reduced
to the Kaskas-
kia tribe.

Art. 1. Whereas, from a variety of unfortunate circumstances, the several tribes of Illinois Indians are reduced to a very small number, the remains of which have been long consolidated and known by the name of the Kaskaskia tribe, and finding themselves unable to occupy the extensive tract of country, which of right belongs to them, and which was possessed by their ancestors for many generations, the chiefs and warriors of the said tribe being also desirous of procuring the means of improvement in the arts of civilized life, and a more certain and effectual support for their women and children, have, for the considerations hereinafter mentioned, relinquished, and by these presents do relinquish and cede to the United States, all the lands in the Illinois territory, which the said tribe has heretofore possessed, or which they may rightfully claim, reserving to themselves, however, the tract of about three hundred and fifty acres near the town of Kaskaskia, which they have always held, and which was secured to them by the act of congress, of the third day of March, one thousand seven hundred and ninety-one,* and also the right of locating one other tract of twelve hundred and eighty acres, within the bounds of that now ceded, which two tracts of land shall remain to them forever.

The Kaskas-
kias cede all
their lands in
the Illinois.
Reservation
of 350 acres.

Another tract
of 1,280 acres.

United States
take the Kas-
kaskias under
their protec-
tion; who are
not to make
war, &c.
without the
consent of the
United States.

Art. 2. The United States will take the Kaskaskia tribe under their immediate care and patronage, and will afford them a protection as effectual against the other Indian tribes, and against all other persons whatever, as is enjoyed by their own citizens. And the said Kaskaskia tribe do hereby engage to refrain from making war, or giving any insult or offence to any other Indian tribe, or to any foreign nation, without having first obtained the approbation and consent of the United States.

* The provision referred to, is contained in a *proviso* to the 6th section of "An act for granting lands to the inhabitants and settlers at Vincennes, and the Illinois country, in the territory north-west of the Ohio, and for confirming them in their possessions," approved 3d of March, 1791, and is in the following words, "Provided, nevertheless, That no claim founded upon purchase or otherwise, shall be admitted within a tract of land heretofore occupied by the Kaskaskia nation of Indians, and including their village, which is hereby appropriated to the use of the said Indians."

Art. 3. The annuity heretofore given by the United States to the said tribe, shall be increased to one thousand dollars; * which is to be paid them either in money, merchandise, provisions, or domestic animals, at the option of the said tribe: and when the said annuity or any part thereof is paid in merchandise, it is to be delivered to them either at Vincennes, fort Massac, or Kaskaskia, and the first cost of the goods in the seaport where they may be procured, is alone to be charged to the said tribe, free from the cost of transportation, or any other contingent expense. Whenever the said tribe may choose to receive money, provisions, or domestic animals, for the whole or in part of the said annuity, the same shall be delivered at the town of Kaskaskia. The United States will also cause to be built a house suitable for the accommodation of the chief of the said tribe, and will enclose for their use a field, not exceeding one hundred acres, with a good and sufficient fence. And whereas the greater part of the said tribe have been baptized and received into the Catholic church, to which they are much attached, the United States will give, annually, for seven years, one hundred dollars towards the support of a priest of that religion, who will engage to perform for the said tribe the duties of his office, and also to instruct as many of their children as possible in the rudiments of literature. And the United States will further give the sum of three hundred dollars to assist the said tribe in the erection of a church. The stipulations made in this and the preceding article, together with the sum of five hundred and eighty dollars, which is now paid, or assured to be paid, for the said tribe, for the purpose of procuring some necessary articles, and to relieve them from debts which they have heretofore contracted, is considered as a full and ample compensation for the relinquishment made to the United States in the first article.

Former annuity increased to \$1,000, payable in money or merchandise.

The United States to build a house for the chief, and enclose a field for the tribe.

The United States to give \$700 towards the support of a priest; and \$300 to aid in erecting a church.

\$580, with preceding stipulations, full compensation.

Art. 4. The United States reserve to themselves the right, at any future period, of dividing the annuity now promised to the said tribe, amongst the several families thereof, reserving always a suitable sum for the great chief and his family.

The United States reserve the right of dividing the annuity, &c.

Art. 5. And to the end that the United States may be enabled to fix with the other Indian tribes, a boundary between their respective claims, the chiefs and head warriors of the said Kaskaskia tribe, do hereby declare, that their rightful claim is as follows, viz: beginning at the confluence of the Ohio and the Mississippi, thence up the Ohio to the mouth of the Saline creek, about twelve miles below the mouth of the Wabash, thence along the dividing ridge, between the said creek and the Wabash, until it comes to the general dividing ridge between the waters which fall into the Wabash and those which fall in-

Boundary of the lands ceded by the Kaskaskias.

* By the 4th article of the treaty of Greenville, of the 3d of August, 1795, the Kaskaskia tribe are allowed only \$500 annually. See chap. 3, No. 3, post,

to the Kaskaskia river ; and thence along the said ridge, until it reaches the waters which fall into the Illinois river, thence in a direct course to the mouth of the Illinois river, and thence down the Mississippi to the beginning.

Kaskaskias retain a temporary right to hunt on the ceded lands.

This treaty to be binding as soon as ratified.

Art. 6. As long as the lands which have been ceded by this treaty, shall continue to be the property of the United States, the said tribe shall have the privilege of living and hunting upon them, in the same manner that they have hitherto done,

Art. 7. This treaty is to be in force and binding upon the said parties, as soon as it shall be ratified by the president and senate of the United States.

In witness whereof, the said commissioner plenipotentiary, and the head chiefs and warriors of the said Kaskaskia tribe of Indians, have hereunto set their hands and affixed their seals, the thirteenth day of August, in the year of our Lord one thousand eight hundred and three, and of the independence of the United States the twenty-eighth.

William Henry Harrison,	l. s.
The mark x of Jean Baptiste Ducoigne,	l. s.
The mark x of Pedagouge,	l. s.
The mark x of Micolas or Nicholas,	l. s.
The mark x of Ocksinga, a Mitchigamian,	l. s.
The mark x of Keetinsa, a Cahokian,	l. s.
Louis Decoucigne,	l. s.

Scaled and delivered in the presence of

John Rice Jones, *secretary to the commissioner,*
Henry Vanderburgh, *one of the judges of the Indiana territory,*
T. F. Rivet, *Indian missionary,*
Vigo, *colonel of Knox county militia,*
Cornelius Lyman, *captain 1st infantry regiment,*
Jas. Johnson, *of Indiana territory,*
B. Parke, *of the Indiana territory,*
Joseph Barron, *interpreter.*

[*Note.* The Kaskaskias are, also, parties, in common, to other treaties, for which see ante, Nos. 3, 4, 5, and 18, of chapter 3.]

CHAPTER X.

Treaties with the Piankeshaw tribes of Indians.

Treaty with the Piankeshaws.

No. 1. A treaty between the United States of America, and the Piankeshaw tribe of Indians.

The president of the United States, by William Henry Harrison, governor of the Indiana territory, superintendent of Indian affairs, and commissioner plenipotentiary of the United States for concluding any treaty or treaties, which may be found necessary, with any of the Indian tribes northwest of the river Ohio, and the chiefs and head men of the Piankeshaw tribe, have agreed to the following articles, which, when ratified by

Treaty bind-

the president of the United States, by and with the advice and consent of the senate, shall be binding upon the said parties.

Art. 1. The Piankeshaw tribe relinquishes, and cedes to the United States forever, all that tract of country which lies between the Ohio and Wabash rivers, and below Clark's grant and the tract called the Vincennes tract, which was ceded by the treaty of fort Wayne, and a line connecting the said tract and grant, to be drawn parallel to the general course of the road leading from Vincennes to the falls of the Ohio, so as not to pass more than half a mile to the northward of the most northerly bend of said road.*

Art. 2. The Piankeshaw tribe acknowledges explicitly the right of the Kaskaskia tribe to sell the country which they have lately ceded to the United States, and which is separated from the lands of the Piankeshaws by the ridge or high land which divides the waters of the Wabash from the waters of the Saline creek; and by that which divides the waters of the said Wabash from those which flow into the Auvase, and other branches of the Mississippi.

Art. 3. An additional annuity† of two hundred dollars shall be paid by the United States to the said tribe, for ten years, in money, merchandise, provisions, or domestic animals, and implements of husbandry, at the option of the said tribe; and this annuity, together with goods to the value of seven hundred dollars, which are now delivered to them by the commissioner of the United States, is considered as a full compensation for the abovementioned relinquishment.

Art. 4. The United States reserve to themselves the right of dividing the whole annuity which they pay to the said tribe, amongst the families which compose the same; allowing always a due proportion for the chiefs. And the said chiefs, whenever the president of the United States may require it, shall, upon proper notice being given, assemble their tribe for the purpose of effecting this arrangement.

In witness whereof, the commissioner plenipotentiary of the United States, and the chiefs and head men of the said tribe, have hereunto set their hands and affixed their seals. Done at Vincennes, in the Indiana territory, the twenty-seventh day of August, in the year of our Lord one thousand eight hundred and four; and of the independence of the United States the twenty-ninth.

William Henry Harrison, 1. s.
Wabochquinke, La Gros Bled, or Big Corn, his x mark, 1. s.
Swekania, Trois Fesse, or Three Thighs, his x mark, 1. s.

* See treaty with the Delawares, concluded at Vincennes the 18th of August, 1804. Ante, chap. 1, No. 2, art. 5.

† By the treaty of Greenville, of the 3d of August, 1795, the annuity allotted to the Piankeshaws was \$500. See post. chap. 3, No. 3, art. 4.

Makatewelama, Chien Noir, or Black Dog, his x mark,	l. s.
Alemoin, Le Chien, or the Dog, his x mark,	l. s.
Kekelanquagoh, or Lightning, his x mark,	l. s.

Signed, sealed, and delivered, in presence of

John Gibson, *secretary to the commissioner,*
 John Griffin, *one of the judges of the t'y of Indiana,*
 Henry Vanderburgh, *one of the judges of the Indiana territory,*
 B. Parke, *attorney general of the t'y. of Indiana,*
 William Prince, *sheriff of Knox county, Indiana territory,*
 George Wallace, *jun. of the Indiana territory,*
 Peter Jones, *of Knox county, Indiana territory,*
 Edward Hempstead, *attorney at law, Indiana territory,*
 Abraham F. Snapp,
 Joseph Barron, *interpreter.*

I do certify that each and every article of the foregoing treaty was carefully explained and precisely interpreted, by me, to the Piankeshaw chiefs who have signed the same.

JOSEPH BARRON, *interpreter.*

Treaty with the Piankeshaws.

No. 2. Articles of a treaty made at Vincennes, in the Indiana territory, between William Henry Harrison, governor of the said territory, superintendent of Indian affairs, and commissioner plenipotentiary of the United States, for concluding any treaty or treaties, which may be found necessary, with any of the Indian tribes northwest of the Ohio, of the one part, and the chiefs and head men of the Piankeshaw tribe, of the other part.

The Piankeshaws cede a tract of country herein described.

Art. 1. The Piankeshaw tribe cedes and relinquishes to the United States forever, all that tract of country, (with the exception of the reservation hereinafter made,) which lies between the Wabash and the tract ceded by the Kaskaskia tribe, in the year one thousand eight hundred and three,* and south of a line to be drawn from the northwest corner of the Vincennes tract, north seventy-eight degrees west, until it intersects the boundary line which has heretofore separated the lands of the Piankeshaws from the said tract ceded by the Kaskaskia tribe.

(* See ante, chapter 9, No. 1.)

The United States take the Piankeshaws under their care and protection.

Art. 2. The United States take the Piankeshaw tribe under their immediate care and patronage, and will extend to them a protection as effectual as that which is enjoyed by the Kaskaskia tribe; and the said Piankeshaw tribe will never commit any depredations or make war upon any of the other tribes without the consent of the United States.

Additional annuity of \$300 to the Piankeshaws.

Art. 3. The said United States will cause to be delivered to the Piankeshaws yearly, and every year, an additional annuity of three hundred dollars, which is to be paid in the same manner, and under the same conditions, as that to which they are entitled by the treaty of Greenville:† provided always that the United States may, at any time they shall think proper, divide the said annuity amongst the individuals of the said tribe.

(† See ante, chapter 1, No. 3, art. 4.)

Division of annuity.

Art. 4. The stipulations made in the preceding articles, together with the sum of one thousand one hundred dollars, which is now delivered, the receipt whereof the said chiefs do hereby acknowledge, is considered a full compensation for the cession and relinquishment abovementioned.

Preceding stipulations, and \$1,100, full compensation.

Art. 5. As long as the lands now ceded remain the property of the United States, the said tribe shall have the privilege of living and hunting upon them, in the same manner that they have heretofore done; and they reserve to themselves the right of locating a tract of two square miles, or twelve hundred and eighty acres, the fee of which is to remain with them forever.

The Piankeshaws allowed to hunt, &c. on the ceded lands whilst the property of the U. S. Reservation of 1,280 acres.

Art. 6. This treaty shall be in force as soon as it shall be ratified by the president of the United States, by and with the advice and consent of the senate.

This treaty to be in force as soon as ratified.

In testimony whereof, the said William Henry Harrison, and the chiefs and head men representing the said Piankeshaw tribe, have hereunto set their hands and affixed their seals. Done at Vincennes, on the thirtieth day of December, in the year of our Lord one thousand eight hundred and five, and of the independence of the United States the thirtieth.

William Henry Harrison,	l. s.
Wabakinklelia, or Gros Bled,	l. s.
Panquia, or Montour,	l. s.
Macatiwaaluna, or Chien Noir,	l. s.

Signed, sealed, and executed, in presence of

William Prince, *secretary to the commissioner,*
 John Griffin, *one of the judges of the Indiana territory,*
 John Gibson, *secretary Indiana territory,*
 John Badollet, *register of the land office,*
 Nathl. Ewing, *receiver public moneys,*
 John Rice Jones, *of the Indiana territory,*
 Dubois, *of the Indiana territory,*
 Wm. Bullett, *of Vincennes,*
 Jacob Kingskedall, *Vincennes,*
 H. Hurst, *Vincennes, I. T.*
 John Johnson,
 Michel Brouillet, *interpreter.*

No. 3. A treaty of peace and friendship, made and concluded, between William Clark, Ninian Edwards, and Augusta Chouteau, commissioners plenipotentiary of the United States of America on the part and behalf of the said states, of the one part, and the undersigned chiefs and warriors of the Piankeshaw tribe or nation, on the part and behalf of the said tribe or nation, of the other part.

Treaty with the Piankeshaws.

The parties being anxious of re-establishing peace and friendship between the United States and the said tribe or nation, and of being placed in all things and in every respect on the same footing upon which they stood before the war, have agreed to the following articles:

Peace and friendship re-established.

Art. 1. Every injury or act of hostility by one or either of the contracting parties against the other, shall be mutually forgiven and forgiven.

Injuries to be mutually forgiven.

Perpetual
peace between
citizens and
the Pianke-
shaws.

Former trea-
ties recogniz-
ed.

Art. 2. There shall be perpetual peace and friendship between all the citizens of the United States of America, and all the individuals composing the Piankeshaw tribe or nation.

Art. 3. The contracting parties in the sincerity of mutual friendship, recognize, re-establish and confirm all and every treaty, contract or agreement, heretofore concluded between the United States and the said Piankeshaw tribe or nation.

In witness of all and every thing herein determined between the United States of America, and the said Piankeshaw tribe or nation: we, their underwritten commissioners and chiefs aforesaid, by virtue of our full powers, have signed this definitive treaty, and have caused our seals to be hereunto affixed.

Done at Portage des Sioux, this eighteenth day of July, in the year of our Lord, one thousand eight hundred and fifteen, and of the independence of the United States of America the fortieth.

William Clark,
Ninian Edwards,
Auguste Chouteau,
La ma-noan, or the axe, his x mark,
La-mee-pris-jeau, or sea-wolf, his x mark,
Mon-sai-raa, or rusty, his x mark,
Wa-pan-gia, or swan, his x mark,
Na-maing-sa, or the fish, his x mark.

Done at Portage des Sioux, in the presence of

R. Wash, *secretary to the commissioners*,
Thomas Forsyth, *I. agent*,
N. Boilvin, *agent*,
T. Paul, *C. C. M.*
Maurice Blondeaux,
John Hay,
John Miller, *col. 3d inf.*
Richard Chitwood, *maj. mt.*
Wm. Irvine Adair, *capt. 3d reg. U. S. inf.*
Cyrus Edwards,
Saml. Solomon,
Jacques Matte,
Louis Deconagne,
John A. Cameron,
F. Duchouquet, *U. S. interpreter, W.*
Louis Bufait, *Indian interpreter*,
J. Bts. Chandonnai, *interpreter*,
W. Knaggs,
Antoine Bondi,
Jean Bt. Massac, his x mark.

} sworn interpreters,

Contract with
the Pianke-
shaws.

No. 4. Contract entered into, under the authority of the United States, between governor Thomas Posey, superintendent of Indian affairs, and Che-kommia or Big River, principal chief of the Piankeshaws.

This indenture, made this third day of January, 1818, between governor Thomas Posey, superintendent of Indian af-

fairs, on the one part, and Chekommia or Big River, principal chief of the Piankeshaw tribe of Indians, acting as well in his own name, as in the name and behalf of the said Piankeshaw tribe of Indians, on the other part, witnesseth :

Whereas at a treaty held under the authority of the United States, with the chiefs and head men, of the said Piankeshaw nation of Indians, at Vincennes, in the Indiana territory, the 27th day of August, 1804, and William Henry Harrison, governor of the Indiana territory, superintendent of Indian affairs, and commissioner plenipotentiary of the United States, for concluding any treaty or treaties, with said tribe, it was agreed by said William Henry Harrison, on the one part, and the chiefs and head men of said tribe, on the other ; that the Piankeshaw tribe, for the consideration therein mentioned, should cede and relinquish to the United States forever, all that tract of country, which lies between the Wabash and the tract ceded by the Kaskaskia tribe, in the year one thousand eight hundred and three, and south of a line to be drawn from the northwest corner of Vincennes tract, northerly seventy-eight degrees west, until it intersects the boundary line which has heretofore separated the lands of the Piankeshaws from the said tract ceded by the Kaskaskia tribe.

Reference to the provisions of the treaty of 1804.

(See ante, No. 1, of this chapter.)

And it was also further agreed by the chiefs of the said Piankeshaw tribe, on the one part, and the said William Henry Harrison, on the other part, that the said tribe should reserve to themselves, the right of locating a tract of two square miles, or twelve hundred and eighty acres; the fee of which is to remain with them forever. And whereas the said Piankeshaw nation, being reduced in number, and being unable to occupy the land reserved to them, by the treaty concluded between the chiefs of said tribe, and William Henry Harrison as aforesaid : therefore be it known, to all to whom these presents shall come, greeting: That the said Chekommia, commonly called Big River, principal chief and head man of the Piankeshaw tribe of Indians, as well in his own name, as in the name and behalf of the said Piankeshaw tribe, for the consideration of one thousand dollars received to our full satisfaction, of governor Thomas Posey, superintendent of Indian affairs, and with full power and authority from the president of the United States, to act concerning the within named premises, have relinquished, and do by these presents, cede and relinquish to the United States, all that tract of land two miles square, and containing twelve hundred and eighty acres, being the same tract which was reserved to us by the treaty concluded, at Vincennes, as aforesaid, between governor William Henry Harrison, on the one part, and the chiefs and head men of the said Piankeshaw nation, on the other.

Relinquishment of the 2 miles square of land, reserved by the treaty of 1804, before referred to.

In testimony whereof, the said Thomas Posey, superintendent of Indian affairs, and Chekommia, principal chief, and representing the said Piankeshaw tribe, have hereunto set their hands and affixed their seals.

Done at Vincennes, this third day of January, in the year of our Lord one thousand eight hundred and eighteen, and of the independence of the United States the forty-second.

Th. Posey, l. s.
Chekommia, or Big River, his x mark, l. s.

Signed, sealed, and executed, in presence of

John Law, attorney at law,
H. Lasselie,
Caleb Lownes,
Joseph Barron, *Indian interpreter*,
Macatamanguay, or Loon, a *Wea chief*, his x mark.

This may certify, that Chekommia or Big River, who has signed the above, is principal chief and head man of the Piankeshaw tribe, and with full power and authority from said tribe, to sign and execute the above contract, on behalf of said tribe.

Macatamanguay, or Loon, a *Wea chief*, his x mark,
Little Eyes, or Washington, a *Wea chief*, his x mark.

[*Note.* The Piankeshaws are parties, in common, with other tribes, to other treaties, for which see ante, chap. 3, Nos. 3, 4, 5.]

CHAPTER XI.

*Treaties with the united tribes of Sac and Fox Indians.**

Treaty with
the Sacs and
Foxes.

No. 1. Articles of a treaty made at St. Louis, in the district of Louisiana, between William Henry Harrison, governor of the Indiana territory, and of the district of Louisiana, superintendent of Indian affairs for the said territory and district, and commissioner plenipotentiary of the United States for concluding any treaty or treaties, which may be found necessary, with any of the northwestern tribes of Indians, of the one part, and the chiefs and head men of the united Sac and Fox tribes, of the other part.

The Sacs and
Foxes under
the protection
of the U. S.

Art. 1. The United States receive the united Sac and Fox tribes into their friendship and protection, and the said tribes agree to consider themselves under the protection of the United States, and of no other power whatsoever.

Boundary line
between the
lands of the
United States
and those of

Art. 2. The general boundary line between the lands of the United States and of the said Indian tribes shall be as follows, to wit: beginning at a point on the Missouri river opposite to the mouth of the Gasconade river; thence in a direct course so

*As these tribes occupy the same country, and are much mixed by intermarriages, they are considered as one—although in several cases they have separately made treaties with the United States, as will be seen by reference to Nos. 2, 3, 4, of this chapter—see also ante, chapter 3, No. 3, in which the Sacs are parties, in common with other tribes.

as to strike the river Jeffreon, at the distance of thirty miles from its mouth, and down the said Jeffreon to the Mississippi, thence up the Mississippi to the mouth of the Ouisconsing river, and up the same to a point which shall be thirty-six miles in a direct line from the mouth of the said river, thence by a direct line to the point where the Fox river (a branch of the Illinois) leaves the small lake called Sakaegan, thence down the Fox river to the Illinois river, and down the same to the Mississippi. And the said tribes, for and in consideration of the friendship and protection of the United States, which is now extended to them, of the goods (to the value of two thousand two hundred and thirty-four dollars and fifty cents) which are now delivered, and of the annuity hereinafter stipulated to be paid,* do hereby cede and relinquish forever to the United States, all the lands included within the above described boundary.

the Sacs and Foxes.

For friendship and protection, \$2,234 50 cts. worth of goods, and annuity, the tribes cede the lands within the boundary herein described.

Art. 3. In consideration of the cession and relinquishment of land made in the preceding article, the United States will deliver to the said tribes, at the town of St. Louis, or some other convenient place on the Mississippi, yearly, and every year, goods suited to the circumstances of the Indians, of the value of one thousand dollars, (six hundred of which are intended for the Sacs, and four hundred for the Foxes,) reckoning that value at the first cost of the goods in the city or place in the United States where they shall be procured. And if the said tribes shall hereafter, at an annual delivery of the goods aforesaid, desire that a part of their annuity should be furnished in domestic animals, implements of husbandry, and other utensils convenient for them, or in compensation to useful artificers who may reside with or near them, and be employed for their benefit, the same shall, at the subsequent annual delivery, be furnished accordingly.

Annuity of \$1,000 worth of goods, \$600 for the Sacs, and \$400 for the Foxes.

The tribes, on notice, may commute a part of their annuities for domestic animals, &c.

Art. 4. The United States will never interrupt the said tribes in the possession of the lands which they rightfully claim, but will, on the contrary, protect them in the quiet enjoyment of the same, against their own citizens, and against all other white persons who may intrude upon them. And the said tribes do hereby engage, that they will never sell their lands, or any part thereof, to any sovereign power but the United States, nor to the citizens or subjects of any other sovereign power, nor to the citizens of the United States.

The United States to protect the tribes in the possession of their lands.

The tribes not to sell to a foreign power; nor to citizens.

Art. 5. Lest the friendship which is now established between the United States and the said Indian tribes, should be interrupted by the misconduct of individuals, it is hereby agreed, that for injuries done by individuals, no private revenge or retaliation shall take place, but instead thereof, complaints shall

Revenge for private injuries, prohibited.

Complaint to

* See article 3, of this chapter.

be made of private injuries.

Offending Indians to be delivered up for punishment.

Citizens to be punished for robbery, &c. of Indians.

Chiefs to exert themselves to recover stolen property, which is to be restored.

In case stolen property is not restored, the value to be deducted from annuity, on proof.

Guarantee of indemnification for property stolen by citizens, &c.

Intruders on the lands of the Sacs and Foxes to be removed, on complaint.

Sacs and Foxes may live and hunt on the ceded lands, &c.

Sacs and Foxes not to suffer unlicensed traders to reside among them.

be made by the party injured to the other ; by the said tribes, or either of them, to the superintendent of Indian affairs, or one of his deputies, and by the superintendent or other person appointed by the president, to the chiefs of the said tribes. And it shall be the duty of the said chiefs, upon complaint being made as aforesaid, to deliver up the person or persons, against whom the complaint is made, to the end that he or they may be punished agreeably to the laws of the state or territory where the offence may have been committed; and in like manner, if any robbery, violence, or murder, shall be committed on any Indian, or Indians, belonging to the said tribes, or either of them, the person or persons, so offending, shall be tried, and if found guilty, punished in the like manner as if the injury had been done to a white man. And it is further agreed, that the chiefs of the said tribes shall, to the utmost of their power, exert themselves to recover horses or other property which may be stolen from any citizen or citizens of the United States, by any individual, or individuals, of their tribes, and the property so recovered, shall be forthwith delivered to the superintendent or other person authorized to receive it, that it may be restored to the owner; and in cases where the exertions of the chiefs shall be ineffectual in recovering the property stolen as aforesaid, if sufficient proof can be obtained that such property was actually stolen by any Indian or Indians, belonging to the said tribes, or either of them, the United States may deduct from the annuity of the said tribes, a sum equal to the value of the property which has been stolen. And the United States hereby guarantee to any Indian or Indians of the said tribes, a full indemnification for any horses or other property, which may be stolen from them by any of their citizens; provided that the property so stolen cannot be recovered, and that sufficient proof is produced that it was actually stolen by a citizen of the United States.

Art. 6. If any citizen of the United States, or other white person, should form a settlement upon lands which are the property of the Sac and Fox tribes, upon complaint being made thereof to the superintendent or other person having charge of the affairs of the Indians, such intruder shall forthwith be removed.

Art. 7. As long as the lands which are now ceded to the United States remain their property, the Indians belonging to the said tribes shall enjoy the privilege of living and hunting upon them.

Art. 8. As the laws of the United States, regulating trade and intercourse with the Indian tribes, are already extended to the country inhabited by the Saukes and Foxes, and as it is provided by those laws, that no person shall reside as a trader in the Indian country, without a license under the hand and seal

of the superintendent of Indian affairs, or other person appointed for the purpose by the president, the said tribes do promise and agree, that they will not suffer any trader to reside amongst them without such license; and that they will, from time to time, give notice to the superintendent, or to the agent for their tribes, of all the traders that may be in their country.

Notice to be given of traders.

Art. 9. In order to put a stop to the abuses and impositions which are practised upon the said tribes by the private traders, the United States will, at a convenient time, establish a trading house or factory, where the individuals of the said tribes can be supplied with goods at a more reasonable rate than they have been accustomed so procure them.

Trading house, or factory, to be established, &c. (Abrogated—see post, No. 5, of this chapter.)

Art. 10. In order to evince the sincerity of their friendship and affection for the United States, and a respectful deference for their advice, by an act which will not only be acceptable to them, but to the common Father of all the nations of the earth, the said tribes do hereby solemnly promise and agree, that they will put an end to the bloody war which has heretofore raged between their tribes and those of the Great and Little Osages. And for the purpose of burying the tomahawk and renewing the friendly intercourse between themselves and the Osages, a meeting of their respective chiefs shall take place, at which, under the direction of the above named commissioner, or the agent of Indian affairs residing at St. Louis, an adjustment of all their differences shall be made, and peace established upon a firm and lasting basis.

Adjustment of differences between the Sacs and Foxes and the Great and Little Osages, under the direction of an agent of the United States.

Art. 11. As it is probable that the government of the United States will establish a military post at or near the mouth of the Ouiconsing river, and as the land on the lower side of the river may not be suitable for that purpose, the said tribes hereby agree that a fort may be built either on the upper side of the Ouiconsing, or on the right bank of the Mississippi, as the one or the other may be found most convenient, and a tract of land not exceeding two miles square shall be given for that purpose.

The tribes allow a fort to be built on the upper side of the Ouiconsing, or, &c. and give a tract of land for the purpose.

And the said tribes do further agree, that they will at all times allow to traders and other persons travelling through their country, under the authority of the United States, a free and safe passage for themselves and their property of every description. And that for such passage they shall, at no time and on no account whatever, be subject to any toll or exaction.

A free and safe passage for traders and their property, &c.

Art. 12. This treaty shall take effect and be obligatory on the contracting parties, as soon as the same shall have been ratified by the president by and with the advice and consent of the senate of the United States.

This treaty to take effect when ratified.

In testimony whereof, the said William Henry Harrison, and the chiefs and head men of the said Sac and Fox tribes, have hereunto set their hands and affixed their seals.

Done at Saint Louis, in the district of Louisiana, on the third day of November, one thousand eight hundred and four, and of the independence of the United States the twenty-ninth.

William Henry Harrison,	l. s.
Lavauvois, or Laiyurva, his x mark,	l. s.
Pashepaho, or the Giger, his x mark,	l. s.
Quashquame, or Jumping Fish, his x mark,	l. s.
Outshequaka, or Sun Fish, his x mark,	l. s.
Hahshequarhiqua, or the Bear, his x mark,	l. s.

In presence of (the words "a branch of the Illinois," in the third line of the second article, and the word "forever," in the fifth line of the same article, being first interlined)

Wm. Prince, *secretary to the commissioner,*
 John Griffin, *one of the judges of the Indiana territory,*
 J. Bruff, *maj. artillery U. S.*
 Amos Stoddard, *capt. corps artillerists,*
 P. Chouteau,
 Vigo,
 S. Warrell, *lieut. U. States' artillery,*
 D. Delamay,
 Joseph Barron,
 Hypolite Bolen, his x mark, } *sworn interpreters.*

ADDITIONAL ARTICLE.

This treaty not to affect claims under Spanish grants, not included within the boundary, &c.

It is agreed, that nothing in this treaty contained shall affect the claim of any individual or individuals, who may have obtained grants of land from the Spanish government, and which are not included within the general boundary line laid down in this treaty,* provided that such grants have at any time, been made known to the said tribes and recognized by them.

Treaty with the Sacs of Missouri.

No. 2. A treaty of peace and friendship made and concluded between William Clark, Ninian Edwards, and Auguste Chouteau, commissioners plenipotentiary of the United States of America, on the part and behalf of the said states, of the one part; and the undersigned chiefs and warriors of that portion of the Sac nation of Indians, now residing on the Missouri river, of the other part.

Desirous of fulfilling treaty with the U. S. separate from the rest of their tribe and remove to Missouri.

Whereas the undersigned chiefs and warriors, as well as that portion of the nation which they represent, have at all times been desirous of fulfilling their treaty with the United States with perfect good faith; and for that purpose found themselves compelled since the commencement of the late war, to separate themselves from the rest of their nation and remove to the Missouri river, where they have continued to give proofs of their friendship and fidelity; And whereas the United States, justly appreciating the conduct of said Indians, are disposed to do them the most ample justice that is practicable; the said parties have agreed to the following articles:

* See the boundary line, ante, art. 2, No. 1, of this chapter.

Art. 1. The undersigned chiefs and warriors, for themselves and that portion of the Sacs which they represent, do hereby assent to the treaty between the United States of America, and the united tribes of Sacs and Foxes, which was concluded at St. Louis, on the third day of November, one thousand eight hundred and four; and they moreover promise to do all in their power to re-establish and enforce the same.

Confirm the treaty of 1804 with Sacs and Foxes. (Article, No. 1, of this chap.)

Art. 2. The said chiefs and warriors, for themselves and those they represent, do further promise to remain distinct and separate from the Sacs of Rock river, giving them no aid or assistance whatever, until peace shall also be concluded between the United States and the said Sacs of Rock river.

Promise to remain separate from the Sacs of Rock river, &c.

Art. 3. The United States on their part promise to allow the said Sacs of the Missouri river, all the rights and privileges secured to them by the treaty of St. Louis before mentioned, and also, as soon as practicable, to furnish them with a just proportion of the annuities stipulated to be paid by that treaty; provided they shall continue to comply with this and their former treaty.

All the privileges of the treaty before referred to, secured to the Sacs by the U. S.

In witness whereof, the said William Clark, Ninian Edwards, and Auguste Chouteau, commissioners as aforesaid, and the aforesaid chiefs and warriors, have hereunto subscribed their names and affixed their seals, this thirteenth day of September, in the year of our Lord one thousand eight hundred and fifteen, and of the Independence of the United States the fortieth.

Wm. Clark,
Ninian Edwards,
Auguste Chouteau,
Shamaga, or the lance, his x mark,
Weesaka, or the Devil, his x mark,
Catchemackeseo, the big Eagle, his x mark,
Chekaqua, or he that stands by the tree, his x mark,
Kataka, or the sturgeon, his x mark,
Mecaitch, or the eagle, his x mark,
Neshota, or the twin, his x mark,
Quashquamme, or the jumping fish, his x mark,
Chagasort, or the blues' son, his x mark,
Pecama, or the plumb, his x mark,
Namachewana Chaha, or the Sioux, his x mark,
Nanochaatasa, or the brave by Hazard.

Done at Portage des Sioux, in the presence of

R. Wash, *secretary of the commission,*
Thomas Levers, *lieutenant col. commanding 1st regt. I. T.*
P. Chouteau, *agent,*
T. Paul, *C. C. T.*
James B. Moore, *capt.*
Samuel Whiteside, *capt.*
J. W. Johnson, *U. S. factor and Ind. agent,*
Maurice Blondeaux,
Samuel Solomon, } *interpreters,*
Noel Mognaine, }
Daniel Converie, *3d lieut.*

Treaty with the Foxes. No. 3. A treaty of peace and friendship made and concluded between William Clark, Ninian Edwards, and Auguste Chouteau, commissioners plenipotentiary of the United States of America, on the part and behalf of the said states of the one part, and the undersigned king, chiefs and warriors of the Fox tribe or nation on the part and behalf of the said tribe or nation, of the other part.

Parties desirous of re-establishing peace. The parties being desirous of re-establishing peace and friendship between the United States and the said tribe or nation, and of being placed in all things and in every respect, on the same footing upon which they stood before the war, have agreed to the following articles :

Injuries to be forgotten. *Art. 1.* Every injury or act of hostility by one or either of the contracting parties against the other, shall be mutually forgiven and forgot.

Perpetual peace established. *Art. 2.* There shall be perpetual peace and friendship between the citizens of the United States of America, and all the individuals composing the said Fox tribe or nation.

All prisoners to be delivered up. *Art. 3.* The contracting parties do hereby agree, promise and oblige themselves reciprocally, to deliver up all the prisoners now in their hands, (by what means soever the same may have come into their possession,) to the officer commanding at fort Clark, on the Illinois river, to be by him restored to their respective nations as soon as it may be practicable.

Confirm the treaty of 1804. (Ante, No. 7, of this chap.) *Art. 4.* The said Fox tribe or nation do hereby assent to, recognize, re-establish and confirm the treaty of St. Louis which was concluded on the third day of November, one thousand eight hundred and four, to the full extent of their interest in the same, as well as all other contracts and agreements between the parties; and the United States promise to fulfil all the stipulations contained in the said treaty in favor of the said Fox tribe or nation.

In witness whereof, the said William Clark, Ninian Edwards, and Auguste Chouteau, commissioners as aforesaid, and the aforesaid king, chiefs and warriors of the Fox tribe or nation, aforesaid, have hereunto subscribed their names and affixed their seals this fourteenth day of September, in the year of our Lord one thousand eight hundred and fifteen, and of the independence of the United States the fortieth.

Wm. Clark,
Ninian Edwards,
Auguste Chouteau,
Pierremaskin, the fox who walks crooked, his x mark,
Auckkatawagout, black cloud, his x mark,
Namasosnamet, he who surpasses all others, his x mark,
Wapaca, his x mark,
Ackkatakanamakee, the black thunder, his x mark,
Pashechenene, the liar, his x mark,
Wapasai, the white skin, his x mark,
Catchacomm, big lake, his x mark,

Mulasenokama, the war chief, his x mark,
 Kechaswa, the sun, his x mark,
 Mataqua, the medical woman, his x mark,
 Paquampa, the bear that sits, his x mark,
 Aquoqua, the kettle, his x mark,
 Nemarqua, his x mark,
 Machenamau, the bad fish, his x mark,
 Pesotaka, the flying fish, his x mark,
 Mishecaqua, the hairy legs, his x mark,
 Capontwa, all at once, his x mark,
 Mowhinin, the wolf, his x mark,
 Onquo, his x mark,
 Wonakasa, the quick riser, his x mark,
 Nauatawaka, the scenting fox, his x mark

Done at Portage des Sioux, in the presence of

R. Wash, *secretary to the commission*,
 Thomas Levens, *lt. col. comdt. 1 regt. I. T.*
 P. Chouteau, *agent*,
 T. Paul, *C. C. T.*
 James B. Moore, *capt.*
 Samuel Whiteside, *capt.*
 Jno. W. Johnson, *U. S. factor and I. agent*,
 Maurice Blondeaux,
 Samuel Solomon, } *interpreters*,
 Noel Mograine, }
 Daniel Couverse, *3d lt.*

No. 4. A treaty of peace and friendship made and concluded between William Clark, Ninian Edwards, and Auguste Chouteau, commissioners plenipotentiary of the United States of America, on the part and behalf of the said states, of the one part, and the undersigned chiefs and warriors of the Sacs of Rock river and the adjacent country, of the other part.

Treaty with
the Sacs of
Rock river.

Whereas by the ninth article of the treaty of peace, which was concluded on the twenty-fourth day of December, eight hundred and fourteen, between the United States and Great Britain, at Ghent, and which was ratified by the president, with the advice and consent of the senate, on the seventeenth day of February, eighteen hundred and fifteen, it was stipulated that the said parties should severally put an end to all hostilities with the Indian tribes, with whom they might be at war, at the time of the ratification of said treaty; and to place the said tribes inhabiting their respective territories, on the same footing upon which they stood before the war: Provided, they should agree to desist from all hostilities against the said parties, their citizens or subjects respectively, upon the ratification of the said treaty being notified to them, and should so desist accordingly.

Reference to
9th art. of the
treaty of
peace with
Great Britain,
ratified
17th Feb.
1815.

And whereas the United States being determined to execute every article of the treaty with perfect good faith, and wishing to be particularly exact in the execution of the article above alluded to, relating to the Indian tribes: The president, in consequence thereof, for that purpose, on the eleventh day of

U. States determined to
act with good
faith, &c.

March, eighteen hundred and fifteen, appointed the undersigned William Clark, governor of Missouri territory, Ninian Edwards, governor of Illinois territory, and Auguste Chouteau, esq. of the Missouri territory, commissioners, with full power to conclude a treaty of peace and amity with all those tribes of Indians, conformably to the stipulations contained in the said article, on the part of the United States, in relation to such tribes.

And whereas the commissioners, in conformity with their instructions in the early part of last year, notified the Sacs of Rock river, and the adjacent country, of the time of the ratification of said treaty; of the stipulations it contained in relation to them; of the disposition of the American government to fulfil those stipulations, by entering into a treaty with them, conformably thereto; and invited the said Sacs of Rock river, and the adjacent country, to send forward a deputation of their chiefs to meet the said commissioners at Portage des Sioux, for the purpose of concluding such a treaty as aforesaid, between the United States and the said Indians, and the said Sacs of Rock river, and the adjacent country, having not only declined that friendly overture, but having continued their hostilities, and committed many depredations thereafter, which would have justified the infliction of the severest chastisement upon them; but having earnestly repented of their conduct, now imploring mercy, and being anxious to return to the habits of peace and friendship with the United States; and the latter being always disposed to pursue the most liberal and humane policy towards the Indian tribes within their territory, preferring their reclamation by peaceful measures, to their punishment, by the application of the military force of the nation—Now, therefore,

The said William Clark, Ninian Edwards, and Auguste Chouteau, commissioners as aforesaid, and the undersigned chiefs and warriors, as aforesaid, for the purpose of restoring peace and friendship between the parties, do agree to the following articles:

Art. 1. The Sacs of Rock river, and the adjacent country, do hereby unconditionally assent to recognize, re-establish, and confirm the treaty between the United States of America and the united tribes of Sacs and Foxes, which was concluded at St. Louis, on the third day of November, one thousand eight hundred and four; as well as all other contracts and agreements, heretofore made between the Sac tribe or nation, and the United States.

Art. 2. The United States agree to place the aforesaid Sacs of Rock river, on the same footing upon which they stood before the war; provided they shall, on or before the first day of July next, deliver up to the officer commanding at cantonment

Sacs of Rock river invited to a treaty, &c.

Invitation declined—hostilities continued.

Repentance, and disposition to make peace produced by chastisement, &c.

Treaty of 1804 confirmed. (Ante, No. 1, of this chap.)

Sacs to be placed on same footing as before the war, provided the

Davis, on the Mississippi, all the property they, or any part of their tribe, have plundered or stolen from the citizens of the United States, since they were notified, as aforesaid, of the time of the ratification of the late treaty between the United States and Great Britain.

Art. 3. If the said tribe shall fail or neglect to deliver up the property aforesaid, or any part thereof, on or before the first day of July aforesaid, they shall forfeit to the United States all right and title to their proportion of the annuities which, by the treaty of St. Louis, were covenanted to be paid to the Sac tribe; and the United States shall forever afterwards be exonerated from the payment of so much of said annuities as, upon a fair distribution, would fall to the share of that portion of the Sacs who are represented by the undersigned chiefs and warriors.

Art. 4. This treaty shall take effect and be obligatory on the contracting parties, unless the same shall be disapproved by the president and senate of the United States, or by the president only: and in the mean time all hostilities shall cease from this date.

In testimony whereof, the said William Clark, Ninian Edwards, and Auguste Chouteau, commissioners as aforesaid, and the undersigned chiefs and warriors as aforesaid, have hereunto set their hands and affixed their seals, this thirteenth day of May, one thousand eight hundred and sixteen.

Wm. Clark,
Ninian Edwards,
Auguste Chouteau,
Anowat, or the One who speaks, his x mark,
Namawenanu, or Sturgeon Man, his x mark,
Nasawarku, or the Forks, his x mark,
Namatchesa, or the Jumping Sturgeon, his x mark,
Matchequawa, the Bad Axe, his x mark,
Mashco, or Young Eagle, his x mark,
Aquaosa, or a Lion coming out of the Water, his x mark,
Mucketamachekaka, or Black Sparrow Hawk, his x mark,
Poinaketa, or the Cloud that don't stop, his x mark,
Mealeseta, or Bad Weather, his x mark,
Anawashqueth, the Bad Root, his x mark,
Wassekenequa, or Sharp-faced Bear, his x mark,
Sakeetoo, or the Thunder that Frightens, his x mark,
Warpaloka, or the Rumbling Thunder, his x mark,
Kemcalosha, or the Swan that flies in the Rain, his x mark,
Pashekumack, or the Swan that flies low, his x mark,
Keotasheka, or the Running Partridge, his x mark,
Wapalamo, or the White Wolf, his x mark,
Caskupwa, or the Swan whose wings crack when he flies, his x mark,
Napetaka, or he who has a Swan's throat around his neck, his x mark,
Mashashe, or the Fox, his x mark,
Wapamukqua, or the White Bear, his x mark.

St. Louis, May 13th, 1816, Done in the presence of

R. Wash, secretary to the commission,

property
taken by them
is delivered.

In case of ne-
glect to deli-
ver property,
annuities to be
forfeited.

Treaty to take
effect unless,
&c. Hosti-
lities in the
mean time to
cease.

R. Paul, C. T. of the C.

J. Bt. Caron, }
 Samuel Solomon, } *interpreters,*
 Joshua Norvell, *Judge Adv. M. M.*
 Joseph Perkins,
 Joseph Charless,
 B. G. Tavar,
 Charles Wm. Hunter,
 Cerre,
 M. La Croix,
 Gayol de Guirano,
 Boon Ingels,
 Moses Scott,
 James Sawyer.

Treaty with
 the Sacs and
 Foxes.

No. 5. Articles of a treaty entered into and concluded at fort Armstrong, by and between Thomas Forsyth, agent of Indian affairs, authorized on the part of the United States for that purpose, of the one part, and the chiefs, warriors, and head men, of the united Sac and Fox tribes, for themselves and their tribes, of the other part.

Ninth article
 of the treaty of
 3d November,
 1804, abrogat-
 ed for the con-
 sideration of
 1000 dollars
 paid in mer-
 chandise.

Whereas by the ninth article of the treaty made and entered into between the United States and the Sac and Fox tribes of Indians, concluded and signed at Saint Louis, in the district of Louisiana, on the third day of November, one thousand eight hundred and four, it is stipulated, in order to put a stop to the abuses and impositions which are practised upon the said tribes by the private traders, the United States will, at a convenient time, establish a trading house or factory, where the individuals of the said tribes can be supplied with goods at a more reasonable rate than they have been accustomed to procure them. Now, we, the said chiefs, warriors, and head men of the said tribes, for and in consideration of the sum of one thousand dollars to us, now paid in merchandise out of the United States' factory, by said Thomas Forsyth, on behalf of the United States, the receipt whereof is hereby acknowledged, do exonerate, release, and forever discharge, the United States from the obligation contained in the said ninth article above recited, and the aforesaid ninth article is, from the date hereof, abrogated and of no effect.

In witness whereof, the said Thomas Forsyth, and the chiefs, warriors, and head men, of the Sac and Fox tribes, have hereunto set their hands, and affixed their seals, this third day of September, in the year of our Lord one thousand eight hundred and twenty-two.

Thomas Forsyth, *United States' Indian agent,*
 Pushee Paho, his x mark,
 Quash Quammee, his x mark,
 Nesowakee, his x mark,
 Keeocuck, his x mark,
 Wapulla, his x mark,
 Themue, his x mark,

Mucathaanamickee, his x mark,
Nolo, his x mark.

In the presence of

S. Burbeck, *major United States' army,*
P. Wraig, *assistant surgeon United States' army,*
J. M. Baxley, *lieutenant 5th infantry,*
George Davenport,
Samuel C. Muir,
John Connelly,
Louis Betelle, *interpreter.*

No. 6. To perpetuate peace and friendship between the United States and the Sock and Fox tribes or nations of Indians, and to remove all future cause of dissensions which may arise from undefined territorial boundaries, the president of the United States of America, by William Clark, superintendent of Indian affairs, and sole commissioner specially appointed for that purpose, of the one part, and the undersigned chiefs and head men of the Sock and Fox tribes or nations, fully deputed to act for and in behalf of their said nations, of the other part, have entered into the following articles and conditions, viz:

Treaty with
the Sock and
Fox tribes of
Indians.

Art. 1. The Sock and Fox tribes or nations of Indians, by their deputations in council assembled, do hereby agree, in consideration of certain sums of money, &c. to be paid to the said Sock and Fox tribes, by the government of the United States, as hereinafter stipulated, to cede and for ever quit claim, and do, in behalf of their said tribes or nations, hereby cede, relinquish, and forever quit claim, unto the United States, all right, title, interest, and claim, to the lands which the said Sock and Fox tribes have, or claim, within the limits of the state of Missouri, which are situated, lying, and being, between the Mississippi and Missouri rivers, and a line running from the Missouri, at the entrance of Kansas river, north one hundred miles to the northwest corner of the state of Missouri, and from thence east to the Mississippi. It being understood, that the small tract of land lying between the rivers Desmoin and the Mississippi, and the section of the above line between the Mississippi and the Desmoin, is intended for the use of the half-breeds belonging to the Sock and Fox nations; they holding it, however, by the same title, and in the same manner, that other Indian titles are held.

Agreements
entered into by
said tribes.

Art. 2. The chiefs and head men who sign this convention, for themselves and in behalf of their tribes, do acknowledge the lands east and south of the lines described in the first article, so far as the Indians claimed the same, to belong to the United States, and that none of their tribes shall be permitted to settle or hunt upon any part of it, after the first day of January, 1826, without special permission from the superintendent of Indian affairs.

Lands ceded,
&c.

Annuities, &c. *Art. 2.* It is hereby stipulated and agreed, on the part of the United States, as a full consideration for the claims and lands ceded by the Sock and Fox tribes in the first article, there shall be paid to the Sock and Fox nations, within the present year, one thousand dollars in cash, or merchandise; and in addition to the annuities stipulated to be paid to the Sock and Fox tribes by a former treaty, the United States do agree to pay to the said Sock tribe, five hundred dollars, and to the Fox tribe five hundred dollars, annually, for the term of ten succeeding years; and, at the request of the chiefs of the said Sock and Fox nations, the commissioner agrees to pay to Maurice Blondeau, a half Indian of the Fox tribe, the sum of five hundred dollars, it being a debt due by the said nation to the aforesaid Blondeau, for property taken from him during the late war.

Assistance to be rendered them. *Art. 4.* The United States engage to provide and support a blacksmith for the Sock and Fox nations, so long as the president of the United States may think proper, and to furnish the said nations with such farming utensils and cattle, and to employ such persons to aid them in their agriculture, as the president may deem expedient.

Payment of the annuities. *Art. 5.* The annuities stipulated to be paid by the 3d article, are to be paid either in money, merchandise, provisions, or domestic animals, at the option of the aforesaid tribes, and when the said annuities or part thereof is paid in merchandise, it is to be delivered to them at the first cost of the goods at St. Louis, free from cost of transportation.

Said treaty to be obligatory when ratified. *Art. 6.* This treaty shall take effect and be obligatory on the contracting parties so soon as the same shall be ratified by the president of the United States, by and with the advice and consent of the senate thereof.

In testimony whereof, the said William Clark, commissioner as aforesaid, and the chiefs and head men of the Sock and Fox tribes of Indians as aforesaid, have hereunto set their hands, at Washington City, this fourth day of August, in the year of our Lord one thousand eight hundred and twenty-four.

William Clark, 1. s.

SOCKS.

Pah-sha-pa-ha, or Stubbs, his x mark, 1. s.
 Kah-kee-kai-maik, or All Fish, his x mark, 1. s.
 Wash-kee-chai, or Crouching Eagle, his x mark, 1. s.
 Kee-o-kuck, or Watchful Fox, his x mark, 1. s.
 Kah-kee-kai-maik, or All Fish, his x mark, 1. s.
 Sah-col-o-quoit, or Rising Cloud, his x mark, 1. s.

FOXES.

Fai-mah, or the Bear, his x mark, 1. s.
 Ka-pol-e-qua, or White Nosed Fox, his x mark, 1. s.

Peca-mash-ka, or the Fox winding his horn,	}	l. s.
his x mark,		
Kee-sheswa, or the Sun, his x mark,		l. s.

Witnesses at signing:

Thomas L. McKenney,
Law. Taliaferro, *Indian agent at St. Peter's.*
G. W. Kennerly, *Indian agent,*
A. Baronet Vesques, *acting S. I. A. and int.*
Maurice Blondeau,
L. T. Honore,
Jno. W. Johnson,
Meriwether Lewis Clark,
Noal Dashnaw.

CHAPTER XII.

Treaties with the Great and Little Osage nations of Indians.

No. 1. Articles of a treaty made and concluded at fort Clark, on the right bank of the Missouri, about five miles above the Fire Prairie, in the territory of Louisiana, the tenth day of November, in the year of our Lord one thousand eight hundred and eight, between Peter Chouteau, esquire, agent for the Osage, and specially commissioned and instructed to enter into the same, by his excellency Meriwether Lewis, governor and superintendent of Indian affairs for the territory aforesaid, in behalf of the United States of America, of the one part, and the chiefs and warriors of the Great and Little Osage, for themselves and their nations respectively, on the other part.

Art. 1. The United States being anxious to promote peace, friendship, and intercourse, with the Osage tribes, to afford them every assistance in their power; and to protect them from the insults and injuries of other tribes of Indians, situated near the settlements of the white people, have thought proper to build a fort on the right bank of the Missouri, a few miles above the Fire Prairie, and do agree to garrison the same with as many regular troops as the president of the United States may, from time to time, deem necessary for the protection of all orderly, friendly, and well disposed Indians of the Great and Little Osage nations who reside at this place, and who do strictly conform to, and pursue the counsels or admonitions of the president of the United States through his subordinate officers.

Art. 2. The United States being also anxious that the Great and Little Osage, resident as aforesaid, should be regularly supplied with every species of merchandise, which their comfort may hereafter require, do engage to establish at this place, and permanently to continue at all seasons of the year, a well assorted store of goods, for the purpose of bartering with them, on moderate terms, for their peltries and furs.

Art. 3. The United States agree to furnish, at this place, for the use of the Osage nations, a blacksmith, and tools to mend

Peace, friendship, protection, &c. for the Osages.

A fort on the right bank of Missouri to be garrisoned.

The U. S. to establish a store of goods for barter. (Abrogated—see post, No. 4, of this chapter.)

A blacksmith, &c. for the Osages.

A horse mill,
&c.
Block houses
for the Osa-
ges.

The U. S. to
pay for Osage
depredations
to the amount
of \$5,000.

For the lands
relinquished
by the Osages
in the 6th art.
(below,) the
U. S. to deliv-
er, yearly,
\$1,000 worth
of merchan-
dise to the
Great, and
\$500 worth
to the Little,
Osages.

\$1,200 paid
before signa-
ture to this
treaty.

In considera-
tion of the sti-
pulated ad-
vantages to
the Osages,
they agree to
the boundary
line herein
described.

A further
tract ceded to
embrace fort
Clark.

Boundary line
to be run at
the expense
of the United
States.

Four Osage
chiefs to at-
tend.

their arms and utensils of husbandry, and engage to build them a horse mill, or water mill; also to furnish them with ploughs, and to build for the great chief of the Great Osage, and for the great chief of the Little Osage, a strong block house in each of their towns, which are to be established near this fort.

Art. 4. With a view to quiet the animosities which at present exist between the inhabitants of the territory of Louisiana, and the Osage nations, in consequence of the lawless depredations of the latter, the United States do further agree to pay to their own citizens, the full value of such property as they can legally prove to have been stolen or destroyed by the said Osage, since the acquisition of Louisiana by the United States, provided the same does not exceed the sum of five thousand dollars.

Art. 5. In consideration of the lands relinquished by the Great and Little Osage to the United States, as stipulated in the sixth article of this treaty, the United States promise to deliver at Fire Prairie, or at St. Louis, yearly, to the Great Osage nation, merchandise to the amount or value of one thousand dollars, and to the Little Osage nation merchandise to the amount or value of five hundred dollars, reckoning the value of said merchandise at the first cost thereof, in the city or place in the United States where the same shall have been procured.

And in addition to the merchandise aforesaid, the United States have, at and before the signature of these articles, paid to the Great Osage nation the sum of eight hundred dollars, and to the Little Osage nation the sum of four hundred dollars.

Art. 6. And in consideration of the advantages which we derive from the stipulations contained in the foregoing articles, we, the chiefs and warriors of the Great and Little Osage, for ourselves and our nations respectively, covenant and agree with the United States, that the boundary line between our nations and the United States shall be as follows, to wit: beginning at fort Clark, on the Missouri, five miles above Fire Prairie, and running thence a due south course to the river Arkansas, and down the same to the Mississippi, hereby ceding and relinquishing forever to the United States, all the lands which lie east of the said line, and north of the southwardly bank of the said river Arkansas, and all lands situated northwardly of the river Missouri. And we do further cede and relinquish to the United States forever, a tract of two leagues square, to embrace fort Clark, and to be laid off in such manner as the president of the United States shall think proper.

Art. 7. And it is mutually agreed by the contracting parties, that the boundary lines hereby established shall be run and marked at the expense of the United States, as soon as circumstances or their convenience will permit; and the Great and Little Osage promise to depute two chiefs from each of their respective nations, to accompany the commissioner or

commissioners who may be appointed on the part of the United States, to settle and adjust the said boundary line.

Art. 8. And the United States agree, that such of the Great and Little Osage Indians as may think proper to put themselves under the protection of fort Clark, and who observe the stipulations of this treaty with good faith, shall be permitted to live and to hunt, without molestation, on all that tract of country west of the north and south boundary line on which they, the said Great and Little Osage, have usually hunted or resided: provided the same be not the hunting grounds of any nation or tribe of Indians in amity with the United States; and on any other lands within the territory of Louisiana, without the limits of the white settlements, until the United States may think proper to assign the same as hunting grounds to other friendly Indians.

The Osages under the protection of fort Clark, &c. may live and hunt on the tract herein mentioned, and other lands, &c.
 Proviso: as to hunting rights of other Indians.

Art. 9. Lest the friendship which is now established between the United States and the said Indian nations, should be interrupted by the misconduct of individuals, it is hereby agreed, that for injuries done by individuals, no private revenge or retaliation shall take place, but instead thereof, complaints shall be made by the party injured to the other, by the said nations, or either of them, to the superintendent or other person appointed by the president to the chiefs of the said nation; and it shall be the duty of the said chiefs, upon complaints being made as aforesaid, to deliver up the person or persons against whom the complaint is made, to the end that he or they may be punished agreeably to the laws of the state or territory where the offense may have been committed; and in like manner, if any robbery, violence, or murder, shall be committed on any Indian or Indians belonging to either of said nations, the person or persons so offending shall be tried, and if found guilty, shall be punished in like manner as if the injury had been done to a white man. And it is agreed, that the chiefs of the Great and Little Osage shall, to the utmost of their power, exert themselves to recover horses, or other property which may be stolen from any citizen or citizens of the United States, by any individual or individuals of either of their nations; and the property so recovered shall be forthwith delivered to the superintendent, or other person authorized to receive it, that it may be restored to the proper owner; and in cases where the exertions of the chiefs shall be ineffectual in recovering the property stolen as aforesaid, if sufficient proof can be adduced that such property was actually stolen by any Indian or Indians belonging to the said nation, or either of them, the superintendent, or other proper officer, may deduct from the annuity of the said nations, respectively, a sum equal to the value of the property which has been stolen. And the United States hereby guarantee to any Indian or Indians, of the said nations, respectively, a full indemnification for any

Revenge for private injuries, prohibited.

Complaint, in case of injuries.

Indians offending, to be delivered up for punishment.

Robbery, murder, &c. of Osage Indians, punished as if perpetrated on white men.

Osage chiefs to exert themselves to recover stolen horses, &c. which are to be restored.

The value of stolen property, not recovered and restored, to be deducted, on proof, from annuity.

Guarantee of indemnifica-

tion for property stolen from the Osages by citizens.

Osages to deliver resident white men on demand.

The Osages in friendship with, and under the protection of, the U. S. and disclaim all right to sell lands, without the consent of the United States.

Persons passing over the boundary lines (see ante, art. 6,) without license, may be apprehended by the Osages.

Osages not to supply unfriendly Indians with implements of war.

This treaty to take effect when ratified.

horses or other property which may be stolen from them by any of their citizens: provided, that the property so stolen cannot be recovered, and that sufficient proof is produced that it was actually stolen by a citizen of the United States. And the said nations of the Great and Little Osage engage, on the requisition or demand of the president of the United States, or of the superintendent, to deliver up any white man resident among them.

Art. 10. The United States receive the Great and Little Osage nations into their friendship, and under their protection; and the said nations, on their part, declare that they will consider themselves under the protection of no other power whatsoever; disclaiming all right to cede, sell, or in any manner transfer, their lands to any foreign power, or to citizens of the United States, or inhabitants of Louisiana, unless duly authorized by the president of the United States to make the said purchase, or accept the said cession on behalf of the government.

Art. 11. And if any person or persons, for hunting or other purpose, shall pass over the boundary lines, as established by this treaty, into the country reserved for the Great and Little Osage nations, without the license of the superintendent or other proper officer, they, the said Great and Little Osage, or either of them, shall be at liberty to apprehend such unlicensed hunters or other persons, and surrender them, together with their property, but without other injury, insult, or molestation, to the superintendent of Indian affairs, or to the agent nearest the place of arrest, to be dealt with according to law.

Art. 12. And the chiefs and warriors as aforesaid, promise and engage, that neither the Great nor Little Osage nation will ever, by sale, exchange, or as presents, supply any nation or tribe of Indians, not in amity with the United States, with guns, ammunitions, or other implements of war.

Art. 13. This treaty shall take effect and be obligatory on the contracting parties, as soon as the same shall have been ratified by the president, by and with the advice and consent of the senate of the United States.

In testimony whereof, the said Peter Chouteau, commissioned and instructed as aforesaid, and the chiefs and warriors of the Great and Little Osage nation of Indians, have hereunto set their hands and affixed their seals.

Done at fort Clark, the day above mentioned.

P. Chouteau,

E. B. Clemson, *capt. first regiment infantry,*

L. Lorimer, *lieut. first regiment infantry,*

Reazen Lewis, *sub. agt. In. affairs,*

Papusea, the grand chief of the Big Osage, his x mark,

Nichu Malli, the grand chief of the Little Osage, his x mark,

Voithe Voihe, the second chief of the Big Osage, his x mark,

Voithe Chinga, the second chief of the Little Osage, his x mark,

l. s.

l. s.

l. s.

l. s.

l. s.

l. s.

l. s.

l. s.

Ta Voingare, the little chief of the Big Osage, his x mark,	1. s.
Osogahe, the little chief of the Little Osage, his x mark,	1. s.
Voichinodhe, the little chief of the Big Osage, his x mark,	1. s.
Voi Nache, the little chief of the Little Osage, his x mark,	1. s.
Voi Nonpache, the little chief of the Big Osage, his x mark,	1. s.
Quihi Ramaki, the little chief of the Little Osage, his x mark,	1. s.
Voi Nache, the little chief of the Big Osage, his x mark,	1. s.
Poula Voitasuga, the little chief of the Little Osage, his x mark,	1. s.
Caygache, the little chief of the Big Osage, his x mark,	1. s.
Pahuroguesie, the little chief of the Little Osage, his x mark,	1. s.
Miaasa, the little chief of the Big Osage, his x mark,	1. s.
Manjaguida, the little chief of the Little Osage, his x mark,	1. s.
Mantsa, the little chief of the Big Osage, his x mark,	1. s.
Nicagais, the little chief of the Big Osage, his x mark,	1. s.
Dogachinga, the little chief of the Big Osage, his x mark,	1. s.
Tavaingare, the little chief of the Little Osage, his x mark,	1. s.
Tavainthere, the little chief of the Big Osage, his x mark,	1. s.
Naguemani, the war chief of the Big Osage, his x mark,	1. s.
Nicanauthie, the war chief of the Little Osage, his x mark,	1. s.
Choumelase, the war chief of the Big Osage, his x mark,	1. s.
Nenonbas, the war chief of the Little Osage, his x mark,	1. s.
The Pograngue, the war chief of the Big Osage, his x mark,	1. s.
The Cayque, warrior, L. O. his x mark,	1. s.
Nonperovite, do. B. O. his x mark,	1. s.
Vesasache, do. L. O. his x mark,	1. s.
Tonchenanque, do. B. O. his x mark,	1. s.
Caygache, do. L. O. his x mark,	1. s.
Lihibi, do. B. O. his x mark,	1. s.
Grinache, do. L. O. his x mark,	1. s.
Ni Couil Bran, do. B. O. his x mark,	1. s.
Chonnonsoque, do. L. O. his x mark,	1. s.
Lisansandhe, do. B. O. his x mark,	1. s.
Mequaque, do. L. O. his x mark,	1. s.
Manliegare, do. B. O. his x mark,	1. s.
Megalie, do. L. O. his x mark,	1. s.
Meyhe, do. B. O. his x mark,	1. s.
Nudhetavoi, do. L. O. his x mark,	1. s.
Thecayque, do. B. O. his x mark,	1. s.
Voitasean, do. L. O. his x mark,	1. s.
Cahapiche, do. B. O. his x mark,	1. s.
Manhevoi, do. L. O. his x mark,	1. s.
Talechiga, do. B. O. his x mark,	1. s.
Pedhechiga, do. L. O. his x mark,	1. s.
Cheganonsas, do. B. O. his x mark,	1. s.
Nesaque, do. L. O. his x mark,	1. s.
Lolechinga, do. B. O. his x mark,	1. s.
Panevoiganda, do. L. O. his x mark,	1. s.
Tavoinhihi, do. B. O. his x mark,	1. s.
Mithechinga, do. L. O. his x mark,	1. s.
Voidhenache, do. B. O. his x mark,	1. s.
Manquesi, do. L. O. his x mark,	1. s.
Chingavoisa, do. B. O. his x mark,	1. s.
Talevoile, do. L. O. his x mark,	1. s.
Voiengran, do. B. O. his x mark,	1. s.
Scamani, do. L. O. his x mark,	1. s.
Nura Hague, do. B. O. his x mark,	1. s.
Me Chinga, do. L. O. his x mark,	1. s.
Pachigue, little chief, B. O. his x mark,	1. s.
Rouda Nique, warrior, L. O. his x mark,	1. s.
Ne Paste, do. B. O. his x mark,	1. s.
Voibisandhe, do. L. O. his x mark,	1. s.
Nehi Zanga, do. B. O. his x mark,	1. s.

Nehudhe, warrior, L. O. his x mark,	1. s.
The Pagranque, do. B. O. his x mark,	1. s.
Chahetonga, do. L. O. his x mark,	1. s.
Manguepee Mani, do. B. O. his x mark,	1. s.
Voi Balune, do. L. O. his x mark,	1. s.
Ponea Voitaniga, do. B. O. his x mark,	1. s.
Taslondhe, do. L. O. his x mark,	1. s.
Nendolaguahii, warrior, B. O. his x mark,	1. s.
Mangnepu Mani, L. O. his x mark,	1. s.
Ni Conil Brau, do. B. O. his x mark,	1. s.
Voi Balie, do. L. O. his x mark,	1. s.
Onhehomani, do. B. O. his x mark,	1. s.
Nuranin, do. L. O. his x mark,	1. s.
Noguiniilayque, do. B. O. his x mark,	1. s.
Nanlatoho, do. L. O. his x mark,	1. s.
Bashemiudhe, do. B. O. his x mark,	1. s.
Savoi, do. L. O. his x mark,	1. s.
Chouquemounon, do. B. O. his x mark,	1. s.
Mandarihi, do. L. O. his x mark,	1. s.
Manilourana, do. B. O. his x mark,	1. s.
Nequevoile, do. L. O. his x mark,	1. s.
Chonguehanga, do. B. O. his x mark,	1. s.
Ponlachinga, do. L. O. his x mark,	1. s.
Aguigueda, do. B. O. his x mark,	1. s.
Manjaguida, do. L. O. his x mark,	1. s.
Voidoguega, do. B. O. his x mark,	1. s.
The Sindle, do. L. O. his x mark,	1. s.
Ninchagari, do. B. O. his x mark,	1. s.
Voihadani, do. L. O. his x mark,	1. s.
Voigaspache, do. B. O. his x mark,	1. s.
Manyvoile, do. L. O. his x mark,	1. s.
Quinihonigue, do. B. O. his x mark,	1. s.
Nognithe Chinga, do. L. O. his x mark,	1. s.
Natanhi, do. B. O. his x mark,	1. s.
Miasa, do. L. O. his x mark,	1. s.
Ousabe, do. B. O. his x mark,	1. s.
Voichinouthie, do. L. O. his x mark,	1. s.
Amanpasse, do. B. O. his x mark,	1. s.
Cutsagabe, do. L. O. his x mark,	1. s.
Channahon, do. B. O. his x mark,	1. s.
Non Basocri, do. L. O. his x mark,	1. s.
Voichougras, do. B. O. his x mark,	1. s.
Pedhechinga, do. L. O. his x mark,	1. s.
Bassechinga, do. B. O. his x mark,	1. s.

The band of
Osages resi-
ding on the
Arkansas, ac-
cede to the
foregoing
treaty.

We, the undersigned chiefs and warriors of the band of Osages, residing on the river Arkansas, being a part of the Great Osage nation, having this day had the foregoing treaty read and explained to us, by his excellency Meriwether Lewis, esquire, do hereby acknowledge, consent to, and confirm all the stipulations therein contained, as fully and as completely as though we had been personally present at the signing, sealing, and delivering the same on the 10th day of November, 1808, the same being the day on which the said treaty was signed, sealed, and delivered, as will appear by a reference thereto.

In witness whereof, we have, for ourselves and our band of the Great Osage nation residing on the river Arkansas, hereunto set our hands and affixed our seals.

Done at St. Louis, in the territory of Louisiana, this thirty-first day of August, in the year of our Lord one thousand eight hundred and nine, and of the independence of the United States the thirty-fourth.

Gresdanmances, or Clermond, first chief, his x mark,	l. s.
Couchesigres, or Big Tract, second chief, his x mark,	l. s.
Tales, or Straiting Deer, son of Big Tract, his x mark,	l. s.
Aukickawakho, nephew of Big Tract, his x mark,	l. s.
Wachawahih, his x mark,	l. s.
Pabelagren, or Handsome Hair, his x mark,	l. s.
Hombahagren, or Fine Day, his x mark,	l. s.
Harachabe, or the Eagle, his x mark,	l. s.
Irulahtie, or Pipe Bird, his x mark,	l. s.
Tawangahuh, or Builder of Towns, his x mark,	l. s.
Honencache, or the Terrible, his x mark,	l. s.
Talahu, or Deer's Pluck, his x mark,	l. s.
Cahigigreh, or Good Chief, his x mark,	l. s.
Baughongchleh, or Cutter, his x mark,	l. s.
Basonclinga, or Little Pine, his x mark,	l. s.

In presence of us, and before signature attached to the original

John G. Comegys,
George Man,
John W. Honey,
Samuel Solomon, jun.
John P. Gates, *interpreter*,
Noel Mongrain Marque, *Indian interpreter*,
Bazil Nassier Marque, *Indian interpreter*.

No. 2. A treaty of peace and friendship made and concluded between William Clark, Ninian Edwards, and Auguste Chouteau, commissioners plenipotentiary of the United States of America, on the part and behalf of the said states, of the one part; and the undersigned king, chiefs and warriors of the Great and Little Osage tribes or nations, on part and behalf of their said tribes or nations, of the other part.

Treaty with the Osages.

The parties being desirous of re-establishing peace and friendship between the United States, and the said tribes or nations, and of being placed in all things, and in every respect, on the same footing upon which they stood before the war, have agreed to the following articles:

Parties desirous of re-establishing peace.

Art. 1. Every injury or act of hostility by one or either of the contracting parties, against the other, shall be mutually forgiven and forgot.

Injuries to be mutually forgiven.

Art. 2. There shall be perpetual peace and friendship between all the citizens of the United States of America, and all the individuals composing the said Osage tribes or nations.

Perpetual peace and friendship established.

Art. 3. The contracting parties, in the sincerity of mutual friendship, recognize, re-establish, and confirm, all and every treaty, contract and agreement heretofore concluded between the United States, and the said Osage tribes or nations.

All former treaties recognized and confirmed.

In witness whereof, the said William Clark, Ninian Edwards, and Auguste Chouteau, commissioners as afore-

said, and the king, chiefs, and warriors of the said tribes or nations have hereunto subscribed their names and affixed their seals, this twelfth day of September, in the year of our Lord one thousand eight hundred and fifteen, and of the independence of the United States the fortieth.

Wm. Clark,
Ninian Edwards,
Auguste Chouteau,
Teshuhinga, or white hair, his x mark,
Caygaywachepeche, or the bad chief, his x mark,
Couchestawasta, or the one who sees far, his x mark,
Gradamansa, or iron kite, his x mark,
Mahsa, his x mark,
Wanougpaoha, or he who fears not, his x mark,
Hurate, the piper bird, his x mark,
Wasabatougga, big bear, his x mark,
Nekagahre, he who beats the men, his x mark,
Mekewatanega, he who carries the sun, his x mark,
Nangawahagea, his x mark,
Kemanha, the wind racer of the Arkinsaw band, his x mark.

THE LITTLE OSAGES.

Caggatanagga, the great chief, his x mark,
Nechoumanu, the walking rain, his x mark,
Watashinga, he who has done little, his x mark,
Nehujamega, without ears, his x mark,
Ososlingga, the little point, his x mark,
Akidatangga, the big soldier, his x mark,
Wabesongge, his x mark,
Nehreegnegawachepecha, his x mark,
Grecnachee, he who arrives, his x mark,
Wahadauo, of the Missouri tribe, his x mark,
Asooga, the little horn, his x mark,
Mathaghrira, the cutter, his x mark.

Done at Portage des Sioux, in the presence of

R. Wash, *secretary of the commission*,
Thomas Levers, *lieut. col. commanding 1st regt. I. T.*
P. Chouteau, *agent Osages*,
T. Paul, *C. C. T.*
James B. Moore, *capt.*
Samuel Whiteside, *capt.*
Jno. W. Johnson, *U. S. factor and Indian agent*,
Maurice Blondeaux,
Samuel Solomon, } *Interpreters*,
Noel Mograine, }
P. L. Chouteau,
Daniel Couveric, *3d lieut.*

Treaty with
the Osages.

No. 3. A treaty made and concluded by and between William Clark, governor of the Missouri Territory, superintendent of Indian affairs, and commissioner in behalf of the United States, of the one part; and a full and complete deputation of considerate men, chiefs, and warriors, of all the several bands of the Great and Little Osage nation, assembled in behalf of their said nation, of the other part; have agreed to the following articles:

The Osages
embarrassed
by demands

Art. 1. Whereas the Osage nations have been embarrassed by the frequent demands for property taken from the citizens of

the United States, by war parties, and other thoughtless men of their several bands, (both before and since their war with the Cherokees,) and as the exertions of their chiefs have been ineffectual in recovering and delivering such property, conformably with the condition of the ninth article of a treaty entered into with the United States, at fort Clark, the tenth of November, one thousand eight hundred and eight;* and as the deductions from their annuities, in conformity to the said article, would deprive them of any for several years, and being destitute of funds to do that justice to the citizens of the United States which is calculated to promote a friendly intercourse, they have agreed, and do hereby agree, to cede to the United States, and forever quit claim to, the tract of country included within the following bounds, to wit: Beginning at the Arkansas river, at where the present Osage boundary line strikes the river at Frog Bayou; then up the Arkansas and Verdigris, to the falls of Verdigris river; thence, eastwardly, to the said Osage boundary line, at a point twenty leagues north from the Arkansas river; and, with that line, to the place of beginning.

of payment for property plundered by their war parties and others of their bands.

(*Ante, No. 1, of this chap.)

Cede to the U. S. a tract of country.

Art. 2. The United States, on their part, and in consideration of the above cession, agree, in addition to the amount which the Osage do now receive in money and goods, to pay their own citizens the full value of such property as they can legally prove to have been stolen or destroyed by the said Osage, since the year one thousand eight hundred and fourteen: provided the same does not exceed the sum of four thousand dollars.

The U. S. to pay losses proved to have been sustained by citizens, since 1814, amounting to \$4,000.

Art. 3. The articles now stipulated will be considered as permanent additions to the treaties, now in force, between the contracting parties, as soon as they shall have been ratified by the president of the United States of America, by and with the advice and consent of the senate of the said United States.

These articles when ratified, permanent additions to treaties in force.

In witness whereof, the said William Clark, commissioner as aforesaid, and the considerate men and chiefs aforesaid, have hereunto subscribed their names, and affixed their seals, at St. Louis, this twenty-fifth day of September, in the year of our Lord one thousand eight hundred and eighteen, and of the independence of the United States the forty-third.

William Clark,
Canlenonpe, his x mark,
Voibatice, his x mark,
Thebonache, his x mark,
Chonqueauga, his x mark,
Voipoqua, his x mark,
Mannansoudhe, his x mark,
Nequivoire, his x mark,
Nantagregre, his x mark,
Manshepogran, his x mark,
Pachique, his x mark,
Tacindhe, his x mark,

Voiletonchinga, his x mark,
 Voisabevoiquanddague, his x mark,
 Nanchache, his x mark,
 Thequalanan, his x mark,
 Theoucoudhe, his x mark,
 Nihecounache, his x mark,
 Voidenache, his x mark,
 Conchestavoilla, his x mark,
 Naquidatonga, his x mark,
 Voitanigau, his x mark,
 Iluquevoire, his x mark,
 Ilurathi, his x mark,
 Houneagon, or the Gentleman, his x mark,
 Hoquithevoico, his x mark,
 Voiscaudhe, his x mark,
 Thedocavoichipiche, his x mark,
 Voithevoihe, his x mark,
 Mitaniga, his x mark,
 Thecanique, his x mark,
 Voibisonthe, his x mark,
 Nicananthevoire, his x mark,
 Honhonquecon, his x mark,
 Tanhemonny, his x mark,
 Sandhecaan, his x mark,
 Paheksaw, or the White Hairs, his x mark,
 Kohesegre, or the Great Tract, his x mark,
 Nichenmanee, or the Walking Rain, his x mark,
 Tadhesajaudesor, or the Wind, his x mark,
 Nihuedheque, or Sans Oreilles, his x mark,
 Caniquechaga, or the Little Chief, his x mark,
 Grinachie, or the Sudden Appearance, his x mark,
 Voinasache, or the Raised Scalp, his x mark,
 Dogachiga, his x mark,
 Tahechiga, his x mark.

Signed, sealed, and delivered, in the presence of

Pierre Chouteau,
 Pierre Menard, *Ind. agent*,
 John Ruland, *sub-agent*,
 P. L. Chouteau, *interpreter*,
 Paul Loise, *interpreter Osage*,
 I. T. Honore, *Indian interpreter*,
 Meriwether Lewis Clark.

Treaty with
the Osages.

No. 4. Articles of a treaty, entered into and concluded at the United States factory on the M. De Cigue Augt. by and between Richard Graham, agent of Indian affairs, authorized on the part of the United States for that purpose, and the chiefs, warriors, and head men, of the tribes of Great and Little Osage Indians, for themselves and their respective tribes, of the other part.

The second
article of the
treaty of 10th
Nov. 1808,
abrogated,
for the con-
sideration of

Whereas, by the second article of the treaty made and entered into between the United States and the Great and Little Osage nations of Indians, concluded and signed at fort Clark, on the Missouri, on the tenth day of November; one thousand eight hundred and eight,* it is stipulated that the United States

* See ante, No. 1, art. 2, of this chapter.

shall establish at that place, and permanently continue, at all seasons of the year, a well assorted store of goods, for the purpose of bartering with them on moderate terms for their peltries and furs: now, we, the said chiefs, warriors, and head men, in behalf of our said tribes, for and in consideration of two thousand three hundred and twenty-nine dollars and forty cents, to us now paid in merchandisc, out of the United States' factory, by said Richard Graham, on behalf of the United States, the receipt whereof is hereby acknowledged, do exonerate, release, and forever discharge, the United States from the obligation contained in the said second article above mentioned; and the aforesaid second article is, from the date hereof, abrogated and of no effect.

In witness whereof, the said Richard Graham and the chiefs, warriors, and head men, of the Great and Little Osage tribes, have hereunto set their hands and affixed their seals, this thirty-first day of August, in the year of our Lord one thousand eight hundred and twenty-two.

R. Graham,
 Pabuska, x or White Hair, head chief B. O.
 Neshumoiny x, or Walk in Rain, head chief L. O.
 Kahegewashinpisheh x
 Big Soldier x
 Cothistawoshko x
 Tocathingah x
 Towakaheh, x chief of the Crosse Cotte V.
 Kahegetankgah x
 Urattheheh x
 Thinggahwassah x
 Onnyago x
 Wonopasheh x
 Kehegethingah x
 Veheseheh x
 Thunkemono x
 Townakakeh x
 Wahchewahheh x
 Grenattheh x
 Neocheninkeh x
 Tanwanhehe x
 Wasabewangoudake x
 Wathinsabbheh x

In presence of

Paul Baillio,
 Robert Dunlap,
 C. De La Croix.

No. 5. Articles of a treaty, made and concluded at St. Louis, in the state of Missouri, between William Clark, superintendent of Indian affairs, commissioner on the part of the United States, and the undersigned chiefs, head men, and warriors, of the Great and Little Osage tribe of Indians, duly authorized and empowered by their respective tribes or nations.

Treaty with
 the Osages.

In order more effectually to extend to said tribes that protection of the government so much desired by them, it is agreed as follows:

Cession of
lands.

Art. 1. The Great and Little Osage tribes or nations do, hereby, cede and relinquish, to the United States, all their right, title, interest, and claim, to lands lying within the state of Missouri and territory of Arkansas, and to all lands lying west of the said state of Missouri and territory of Arkansas, north and west of the Red river, south of the Kansas river, and east of a line to be drawn from the head sources of the Kansas, southwardly through the Rock Saline, with such reservations, for such considerations, and upon such terms, as are hereinafter specified, expressed, and provided for.

Reservation
for the Osages
within the
country ceded.

Art. 2. Within the limits of the country, above ceded and relinquished, there shall be reserved to, and for the Great and Little Osage tribes or nations, aforesaid, so long as they may choose to occupy the same, the following described tract of land: beginning at a point due east of White Hair's village, and twenty-five miles west of the western boundary line of the state of Missouri, fronting on a north and south line, so as to leave ten miles north, and forty miles south, of the point of said beginning, and extending west, with the width of fifty miles, to the western boundary of the lands hereby ceded and relinquished by said tribes or nations; which said reservation shall be surveyed and marked, at the expense of the United States, and upon which, the agent for said tribes or nations, and all persons attached to said agency, as, also, such teachers and instructors, as the president may think proper to authorize and permit, shall reside, and shall occupy, and cultivate, without interruption or molestation, such lands as may be necessary for them. And the United States do, hereby, reserve to themselves, forever, the right of navigating, freely, all water courses and navigable streams, within, or running through, the tract of country above reserved to said tribes or nations.

Right of navi-
gating all wa-
ter courses
reserved to the
United States.

U. States to
pay an annu-
ty of \$7,000,
in money,
merchandise,
&c.

Art. 3. In consideration of the cession and relinquishment, aforesaid, the United States do, hereby, agree to pay to the said tribes or nations, yearly, and every year, for twenty years, from the date of these presents, the sum of seven thousand dollars, at their village, or at St. Louis, as the said tribes or nations may desire, either in money, merchandise, provisions, or domestic animals, at their option. And whenever the said annuity, or any part thereof, shall be paid in merchandise, the same is to be delivered to them at the first cost of the goods at St. Louis, free of transportation.

Stock of dif-
ferent kinds,
and farming
utensils to be
furnished Os-
ages;

Also a person

Art. 4. The United States shall, immediately upon the ratification of this convention, or as soon thereafter as may be, cause to be furnished to the tribes or nations, aforesaid, six hundred head of cattle, six hundred hogs, one thousand domestic fowls, ten yoke of oxen, and six carts, with such farming utensils as the superintendent of Indian affairs may think necessary, and shall employ such persons, to aid them in their

agricultural pursuits, as to the president of the United States may seem expedient, and shall, also, provide, furnish, and support for them, one blacksmith, that their farming utensils, tools, and arms, may be seasonably repaired; and shall build, for each of the four principal chiefs, at their respective villages, a comfortable and commodious dwelling house.

to teach agriculture, and a blacksmith.

Houses to be built for the four principal chiefs.

Art. 5. From the above lands ceded and relinquished, the following reservations, for the use of the half-breeds, hereafter named, shall be made, to wit: One section, or six hundred and forty acres, for Augustus Clermont, to be located and laid off so as to include Joseph Rivar's residence, on the east side of the Neosho, a short distance above the Grand Saline, and not nearer than within one mile thereof; one section for each of the following half-breeds: James, Paul, Henry, Rosalie, Anthony, and Amelia, the daughter of She-me-hun-ga, and Amelia, the daughter of Mi-hun-ga, to be located two miles below the Grand Saline, and extending down the Neosho, on the east side thereof; and one section for Noel Mongrain, the son of Wa-taw-nagres, and for each of his ten children, Baptiste, Noel, Francis, Joseph, Mongrain, Louis, Victoria, Sophia, Julia, and Juliet: and the like quantity for each of the following named grand-children, of the said Noël Mongrain, to wit: Charles, Francis, Louisson, and Wash, to commence on the Marias des Cygnes, where the western boundary line of the state of Missouri crosses it at the fork of Mine river, and to extend up Mine river for quantity: one section for Mary Williams, and one for Sarah Williams, to be located on the north side of the Marais des Cygnes, at the Double Creek, above Harmony; one section, for Francis T. Chardon; one section, for Francis C. Tayon; one section, for James G. Chouteau; one section, for Alexander Chouteau; one section, for Pelagie Antaya; one section, for Celeste Antaya; one section, for Joseph Antaya; one section, for Baptiste St. Michelle, jr.; one section, for Lewis St. Michelle; one section, for Victoria St. Michelle; one section, for Julia St. Michelle; one section, for Francis St. Michelle; one section, for Joseph Perra; one section, for Susan Larine; one section, for Marguerite Reneau; one section, for Thomas L. Balio; and one section, for Terese, the daughter of Paul Louise; which said several tracts are to be located on the north side of the Marais des Cygnes, extending up the river, above the reservations in favor of Mary and Sarah Williams, in the order in which they are herein above named.

Reservations in favor of half-breeds. &c.

Art. 6. And also fifty-four other tracts, of a mile square each, to be laid off under the direction of the president of the United States, and sold, for the purpose of raising a fund to be applied to the support of schools, for the education of the Osage children, in such manner as the president may deem most advisable to the attainment of that end.

54 sections of land to be sold to raise a school fund.

Debt due by
Osages to the
U. States' fac-
tory relin-
quished; and
U. States re-
leased from
the obligation
to station
regular troops
at fort Clark,
&c.

Art. 7. Forasmuch as there is a debt due, from sundry individuals of the Osage tribes or nations, to the United States' trading houses, of the Missouri and Osage rivers, amounting, in the whole, to about the sum of four thousand one hundred and five dollars and eighty cents, which the United States do hereby agree to release; in consideration thereof, the said tribes or nations do, hereby, release and relinquish their claim upon the United States, for regular troops to be stationed, for their protection, in garrison, at fort Clark, and, also, for furnishing of a blacksmith, at that place, and the delivery of merchandise, at Fire Prairie, as is provided for in the first, third, and fifth. articles of the treaty, concluded on the tenth day of November, one thousand eight hundred and eight.

U. States to
pay Delawares
\$1,000 for
claims against
Osages.

Art. 8. It appearing that the Delaware nation have various claims against the Osages, which the latter have not had it in their power to adjust, and the United States being desirous to settle, finally and satisfactory, all demands and differences between the Delawares and Osages, do hereby agree to pay to the Delawares, in full satisfaction of all their claims and demands against the Osages, the sum of one thousand dollars.

Depredations
on citizens by
Osages to be
settled and
paid for by
the U. States
to amount of
\$5,000.

Art. 9. With a view to quiet the animosities, which at present exist between a portion of the citizens of Missouri and Arkansas and the Osage tribes, in consequence of the lawless depredations of the latter, the United States do, furthermore, agree to pay, to their own citizens, the full value of such property, as they can legally prove to have been stolen or destroyed, by the Osages, since the year eighteen hundred and eight, and for which payment has not been made under former treaties: Provided the sum to be paid by the United States does not exceed the sum of five thousand dollars.

Reservations
for the use of
the mission-
ary establish-
ments, &c.

Art. 10. It is furthermore agreed on, by and between the parties to these presents, that there shall be reserved two sections of land, to include the Harmony Missionary establishment, and the mill, on their Marais des Cygne; and one section, to include the missionary establishment, above the Lick on the west side of Grand river, to be disposed of as the president of the United States shall direct, for the benefit of said missions, and to establish them at the principal villages of the Great and Little Osage nations, within the limits of the country reserved to them by this treaty, and to be kept up at said villages, so long as said missions shall be usefully employed in teaching, civilizing, and improving, the said Indians.

To preserve
peace and
friendship, the
9th art. of treat-
ty of fort
Clark, of 10th
Nov. 1808,

Art. 11. To preserve and perpetuate the friendship now happily subsisting between the United States and the said tribes or nations, it is hereby agreed, that the provisions contained in the ninth article of the treaty concluded and signed at fort Clark, on the tenth day of November, one thousand eight hundred and eight, between the United States and the said

tribes or nations, shall, in every respect, be considered as in full force and applicable to the provisions of this treaty, and that, the United States shall take and receive, into their friendship and protection, the aforesaid tribes or nations, and shall guarantee to them, forever, the right to navigate, freely, all water-courses, or navigable streams, within the tract of country hereby ceded, upon such terms as the same are or may be navigated by the citizens of the United States.

Art. 12. It is further agreed, that there shall be delivered, as soon as may be, after the execution of this treaty, at the Osage villages, merchandise to the amount of four thousand dollars, first cost, in St. Louis, and two thousand dollars in merchandise, before their departure from this place; and horses and equipage, to the value of twenty-six hundred dollars; which, together with the sum of one hundred dollars, to be paid to Paul Louise, and the like sum to Baptiste Mongrain, in money, shall be in addition to the provisions and stipulations hereby above contained, in full satisfaction of the cession, herein before agreed on.

Art. 13. Whereas the Great and Little Osage tribes or nations are indebted to Augustus P. Chouteau, Paul Baillio, and William S. Williams, to a large amount, for credits given to them, which they are unable to pay, and have particularly requested to have paid, or provided for, in the present negotiation; it is, therefore, agreed on, by and between the parties to these presents, that the United States shall pay to Augustus P. Chouteau, one thousand dollars; to Paul Baillio, two hundred and fifty dollars, and to William S. Williams, two hundred and fifty dollars, towards the liquidation of their respective debts due from the said tribes or nations.

Art. 14. These articles shall take effect, and become obligatory on the contracting parties, so soon as the same shall be ratified by the president, by and with the advice and consent of the senate of the United States.

In testimony whereof, the said William Clark, commissioner, as aforesaid, and the deputation, chiefs, and head men, and warriors, of the Great and Little Osage nations of Indians, as aforesaid, have hereunto set their hands and seals, this second day of June, in the year of our Lord one thousand eight hundred and twenty-five, and of the independence of the United States the forty-ninth.

William Clark,
Clairmont, his x mark,
Pahusca, or White Hair, his x mark,
Chingawasa, or Handsome Bird, his x mark,
Wasabaistanga, or Big Bear, his x mark,
Waharsachais, his x mark,
Cochestawasca, or He that sees far, his x mark,
Vanonpachais, or He that is not afraid, his x mark,

(Ante, No. 1,
of this chap.)
to be consid-
ered in full
force, &c.

Merchandise
to be deliver-
ed to Osages;
also horses and
equipage, and
\$100 to be paid
to Paul Louise
and Baptiste
Mongrain,
each.

U. S. to pay
debts due by
Osages to Au-
gustus P.
Chouteau,
Paul Baillio, &
William S.
Williams.

Treaty to take
effect when
ratified.

Khigaischinga, or Little Chief, his x mark,
 Wataniga, or Fool, his x mark,
 Jean Lafond, his x mark,
 Wachinsabais, or Black Spirit, his x mark.
 Hurachais, the War Eagle, his x mark,
 Huradu, his x mark,
 Manchuhonga, his x mark,
 Chongaishonga, his x mark,
 Tawangahais, his x mark,
 Ponkchinga, his x mark,
 Nicholibran, his x mark,
 Panimonpachais, his x mark,
 Wasissegaistanga, or Big Broom, his x mark.
 Chonjaishengais, his x mark,
 Wabachequand, his x mark,
 Wastiagais, his x mark,
 Ishtassca, his x mark,
 Manchelamani, his x mark,
 Hangauechais, his x mark,
 Hanhanmani, his x mark,
 Walutaccest, his x mark,
 Niha, his x mark,
 Wanansonjais, his x mark,
 Vagasidda, his x mark,
 Tawangahe, his x mark,
 Paigaismanie, or Big Soldier, his x mark,
 Tawagahais, or Town Maker, his x mark,
 Chongaismonnon, or Dog Thief, his x mark,
 Honiaigo, or Gentleman, his x mark,
 Hinchaaeri, his x mark,
 Wakandaippahobi, his x mark,
 Saba, his x mark,
 Nasa, his x mark,
 Manchan, his x mark,
 Manchanginda, his x mark.

LITTLE OSAGES.

Nichumani, or Walking Rain, his x mark,
 Nihuchaisningaiswachinpichais, his x mark,
 Waruhagais, his x mark,
 Mangaischis, his x mark,
 Mances'tpogran, his x mark,
 Nonbaaheri, his x mark,
 Howasabais, his x mark,
 Nehuchaisningaischinga, his x mark,
 Aquidachinga, his x mark,
 Sanjaiskanlia, his x mark,
 Manpumahi, his x mark,
 Manhinonba, his x mark,
 Khigaiswachinpichais, or Missouri chief, his x mark.
 Ostichingais, his x mark,
 Hasachais, his x mark,
 Hanhanpac'est, his x mark,
 Manchaquida, his x mark,
 Tiessinjais, his x mark,

Witnesses present:

R. Wash, *secretary*,
 Edward Coles, *governor of Illinois*,
 A. McNair, *Osage agent*,
 Pr Chouteau,
 W. B. Alexander, *sub Indian agent*,

Theodore Hunt,
 Cerre,
 P. L. Chouteau, *sub agent*,
 L. T. Honore, *interpreter*,
 F. A. Chardon,
 Antonie Leclaire, *interpreter*,
 James Coleman,
 Paul Louise, his x mark, *interpreter*, (*Osages*)
 William Milburn,
 Noel Dashnay, *interpreter*,
 Mauchaugachau, his x mark,
 Thepogrenque, his x mark.

CHAPTER XIII.

Treaties with the Wea tribe of Indians.

No. 1. A convention entered into at Vincennes, in the Indiana territory, between William Henry Harrison, commissioner plenipotentiary of the United States for treating with the Indian tribes northwest of the Ohio, and the Wea tribe.

The said tribe, by their sachems and head warriors, hereby declare their full and free consent to the treaty concluded at fort Wayne,* on the thirtieth ultimo, by the abovementioned commissioner, with the Delaware, Miami, Pattawatima, and Eel river tribes; and also to the separate article† entered into on the same day, with the Miami and Eel river tribes. And the said commissioner, on the part of the United States, agrees to allow the said tribe an additional annuity of three hundred dollars, and a present sum of fifteen hundred dollars, in consideration of the relinquishment made in the first article of said treaty; and a further permanent annuity of one hundred dollars, as soon as the Kickapoos can be brought to give their consent to the ninth article of said treaty.‡

In testimony whereof, the said William Henry Harrison, and the sachems and head warriors of the said tribe, have hereunto set their hands and affixed their seals, this twenty-sixth day of October, eighteen hundred and nine.

William H. Harrison,	l. s.
Jacco, his x mark,	l. s.
Shawanee, his x mark,	l. s.
Tosania, his x mark,	l. s.
Cohona, his x mark,	l. s.
Lapousier, his x mark,	l. s.
Pequia, his x mark,	l. s.
Quewa, or Negro Legs, his x mark,	l. s.
Alengua, his x mark,	l. s.
Chequia, or Little Eyes, his x mark,	l. s.

* See ante, No. 10, chap. 3.

† See ante, No. 11, chap. 3.

‡ See the consent of the Kickapoos given; post, chap. 14, No. 1, art. 1.

In the presence of

Peter Jones, *secretary to the commissioner,*
 B. Parke, *one of the judges of the Indiana territory,*
 Thomas Randolph, *A. G. of Indiana,*
 Will. Jones, *of Vincennes,*
 Saml. W. Davis, *lt. col. Ohio state,*
 Shadrach Bond, *jr. of the Illinois territory,*
 Joseph Barron, *sworn interpreter.*

Treaty with
the Weas.

No. 2. Articles of a treaty made and concluded, at St. Mary's, between the United States of America, by their commissioners, Jonathan Jennings, Lewis Cass, and Benjamin Parke, and the Wea tribe of Indians.

The Weas
cede all lands
within Indi-
ana, Ohio, and
Illinois.

Art. 1. The said Wea tribe of Indians agree to cede to the United States all the lands claimed and owned by the said tribe, within the limits of the states of Indiana, Ohio, and Illinois.

Reservation
by the Weas.

Art. 2. The said Wea tribe of Indians reserve to themselves the following described tract of land, viz: Beginning at the mouth of Racoon creek; thence, by the present boundary line, seven miles; thence, northeasterly, seven miles, to a point seven miles from the Wabash river; thence to the Wabash river, by a line parallel to the present boundary line aforesaid; and thence, by the Wabash river, to the place of beginning: to be holden by the said tribe as Indian reservations are usually held.

As Indian re-
servations are
usually held.

Grant to
Christmas Da-
geny and Ma-
ry Shields.

Art. 3. The United States agree to grant to Christmas Dageny and Mary Shields, formerly Mary Dageny, children of Mechinquamesha, sister of Jacco, a chief of the said tribe, and their heirs, one section of land each; but the land hereby granted shall not be conveyed or transferred to any person or persons, by the grantees aforesaid, or their heirs, or either of them, but with the consent of the president of the United States.

Grant not to
be transferred
without con-
sent.

The Weas
sanction a ces-
sion of land by
the Kickapoo
tribe, in 1809.

Art. 4. The said Wea tribe of Indians accede to, and sanction, the cession of land made by the Kickapoo tribe of Indians, in the second article of a treaty concluded between the United States and the said Kickapoo tribe, on the ninth day of December, one thousand eight hundred and nine.*

(* Post, No.
1, chap. 14.)

The United
States to pay
the Weas
3,000 dollars,
annually, in
silver.

Art. 5. In consideration of the cession made in the foregoing articles of this treaty, the United States agree to pay to the said Wea tribe of Indians, one thousand eight hundred and fifty dollars annually, in addition to the sum of one thousand one hundred and fifty dollars, (the amount of their former annuity,) making a sum total of three thousand dollars; to be paid in silver, by the United States, annually, to the said tribe, on the reservation described by the second article of this treaty.

In testimony whereof, the said Jonathan Jennings, Lewis Cass, and Benjamin Parke, commissioners as aforesaid,

and the sachems, chiefs, and warriors, of the Wea tribe of Indians, have hereunto set their hands, at St. Mary's, in the state of Ohio, this second day of October, in the year of our Lord one thousand eight hundred and eighteen.

Jonathan Jennings,
Lewis Cass,
B. Parke,
Jacco, his x mark,
Shamana, his x mark,
Shequiah, or Little Eyes, his x mark,
Querna, or Young Man, his x mark,
Pequiah, his x mark,
Shingonsa, or Mink, his x mark,
Shepaqua, or Leaves, his x mark,

KICKAPOO CHIEFS.

Metagekoka, or Big Tree, his x mark,
Wako, or Fox, his x mark.

In presence of

James Dill, *secretary to the commissioners*,
William Turner, *secretary*,
John Johnston, *Indian agent*,
William Prince, *Indian agent*,
B. F. Stickney, *S. I. A.*
John Conner,
Joseph Barron, *interpreter*,
John T. Chunn, *major 3d infantry*,
J. Hackley, *capt. 3d infantry*,
Benedict Th. Flaget, *bishop of Bardstown*.

No. 3. A treaty made and concluded by Benjamin Parke, a commissioner for that purpose on the part of the United States, of the one part, and the chiefs, warriors, and head men, of the Wea tribe of Indians, of the other part.

Art. 1. The chiefs, warriors, and head men, of the said tribe, agree to cede, and they do hereby cede and relinquish, to the United States, all the lands reserved by the second article of the treaty between the United States and the said tribe, concluded at Saint Mary's, on the second day of October, eighteen hundred and eighteen.

Art. 2. The sum of five thousand dollars, in money and goods, which is now paid and delivered by the United States, the receipt whereof the chiefs, warriors, and head men, of the said tribe, do hereby acknowledge, is considered by the parties a full compensation for the cession and relinquishment above mentioned.

Art. 3. As it is contemplated by the said tribe to remove from the Wabash, it is agreed, that the annuity secured to the Weas, by the treaty of Saint Mary's, above mentioned, shall hereafter be paid to them at Kaskaskia in the state of Illinois.

Treaty with the Weas.

The Weas cede lands reserved by the treaty of St. Mary's. (Ante, No. 2, of this chap.)

\$5,000, in money and goods, in full satisfaction to the tribe.

Annuity to the Weas to be hereafter paid at Kaskaskia.

Art. 4. This treaty, as soon as it is ratified by the president and senate of the United States, to be binding on the contracting parties.

In testimony whereof, the said Benjamin Parke, commissioner as aforesaid, and the said chiefs, warriors, and head men, of the said tribe, have hereunto set their hands, at Vincennes, this eleventh day of August, eighteen hundred and twenty.

B. Parke,
Maquakononga, or Negro Legs, his x mark,
Chequiat, or Little Eyes, his x mark,
Me Tacoshia, the Frenchman, his x mark,
Gu Ta Shemi Tai, or Thunder, his x mark,
Kenacosah Ta, or Long Body, his x mark,
Wapou Kcan, or Swan, his x mark,
Laushpate Ta, or Two Teeth, his x mark,
Meahanet, the Lean Man, his x mark,
Chekolcali, the Dipper, his mark,
Ceholeschaquah, Bullet Mould, his x mark,
Samaquah, Yellow Beaver, his x mark,
Chasahwaha, or Rifle, his x mark,
Go To paquah, or the Lone Tree, his x mark,
Chikousah, or Mink, his x mark,
Teche Pa Low, or Shirt, his x mark,
Pa Lou Swa, Francis.

In presence of

John Law, *secretary to the commissioner*,
William Prince, *Indian agent*,
Nathl. Ewing,
W. E. Breeding,
E. Boudinot,
Pr. Laplante,
Michel Brouillet, *United States' interpreter*.

[*Note.* Besides the treaties of this chapter, the Weas are parties in common to others, for which see ante, chap 3, Nos. 3, 4, 7, 14.]

CHAPTER XIV.

Treaties with the Kickapoo tribe of Indians.

Treaty with the Kickapoos. *No. 1.* William Henry Harrison, governor of the Indiana territory, and commissioner plenipotentiary of the United States, for treating with the Indian tribes northwest of the Ohio, and the sachems and war chiefs of the Kickapoo tribe, on the part of said tribe, have agreed to the following articles, which, when ratified by the president, by and with the advice of the senate, shall be binding on said parties.

This treaty binding, when ratified.
Kickapoos agree to art. 9, of treaty of Ft. Wayne, for *Art. 1.* The ninth article of the treaty concluded at fort Wayne* on the thirtieth of September last, and the cession it contains, is hereby agreed to by the Kickapoos, and a perma-

* See ante, No. 10, chapter 3.

additional annuity of four hundred dollars, and goods to the amount of eight hundred dollars, now delivered, is to be considered as a full compensation for the said cession.

Art. 2. The said tribe further agrees to cede to the United States all that tract of land which lies between the tract above ceded, the Wabash, the Vermilion river, and a line to be drawn from the north corner of the said ceded tract, so as to strike the Vermilion river at the distance of twenty miles in a direct line from its mouth. For this cession a further annuity of one hundred dollars, and the sum of seven hundred dollars in goods now delivered, is considered as a full compensation. But if the Miamis should not be willing to sanction the latter cession, and the United States should not think proper to take possession of the land without their consent, they shall be released from the obligation to pay the additional annuity of one hundred dollars.

Art. 3. The stipulations contained in the treaty of Greenville,† relatively to the manner of paying the annuity, and of the right of the Indians to hunt upon the land, shall apply to the annuity granted and the land ceded by the present treaty.

In testimony whereof, the said William Henry Harrison, and the sachems and head war chiefs of the said tribe, have hereunto set their hands and affixed their seals, this ninth day of December, one thousand eight hundred and nine.

William Henry Harrison,	l. s.
Joe Renard, Nemahson, or a Man on his Feet, his x mark,	l. s.
Knoshania, or the Otter, his x mark,	l. s.
Wakoah, or Fox Hair, his x mark,	l. s.
Nonoah, or a Child at the Breast, his x mark,	l. s.
Moquiah, or the Bear Skin, his x mark,	l. s.

Signed in the presence of (the word "seven" in the second article being written upon an erasure)

Peter Jones, *secretary to the commissioner,*
 George Wallace, jun. *justice peace, K.*
 Jno. Gibson, *secretary Indiana terri.*
 Will. Jones, *justice of peace,*
 E. Stout, *justice of peace,*
 Charles Smith, *of Vincennes,*
 Hyacinthe Lasselle, *of Vincennes,*
 Dom. Lacroix, *of Vincennes,*
 Joseph Barron, *interpreter.*

No. 2. A treaty of peace and friendship, made and concluded between William Clark, Ninian Edwards, and Auguste Chouteau, commissioners plenipotentiary of the United States of America, on the part and behalf of the said states, of the one part; and the undersigned chiefs, warriors, and deputies of the Kickapoo tribe or nation, on the part and behalf of the said tribe or nation, of the other part.

The parties being desirous of re-establishing peace and friendship between the United States and the said tribe or nation, Peace and friendship re-established.

† See ante No. 3, art. 4 and 7, chap. 3.

tion, and of being placed in all things and in every respect on the same footing upon which they stood before the war, have agreed to the following articles :

Injuries to be forgiven, &c. *Art. 1.* Every injury or act of hostility by one or either of the contracting parties towards the other, shall be mutually forgiven and forgot.

Perpetual peace, &c. *Art. 2.* There shall be perpetual peace and friendship between all the citizens of the United States of America, and all the individuals composing the said Kickapoo tribe or nation.

Prisoners to be delivered up. *Art. 3.* The contracting parties do hereby agree, promise, and oblige themselves, reciprocally, to deliver up all the prisoners now in their hands (by what means soever the same may have come into their possession) to the officer commanding at fort Clarke, on the Illinois river, to be by him restored to their respective nations as soon as it may be practicable.

Former treaties confirmed. *Art. 4.* The contracting parties in the sincerity of mutual friendship, recognize, re-establish, and confirm all and every treaty, contract, and agreement, heretofore concluded between the United States and the Kickapoo tribe or nation.

In witness whereof, the said William Clark, Ninian Edwards, and Auguste Chouteau, commissioners as aforesaid, and the chiefs, warriors, and deputies of the said tribe, have hereunto subscribed their names and affixed their seals, this second day of September, in the year of our Lord one thousand eight hundred and fifteen, and of the independence of the United States the fortieth.

William Clark,
Ninian Edwards,
Auguste Chouteau,
Pauwoatam, by his representative Kenepaso, or the bond prisoner, his x mark,
Kiteta, or otter, his x mark,
Kenepaso, or the bond prisoner, his x mark,
Teppema, or persuader, his x mark,
Obkecambaut, or elk looking back, his x mark,
Peywaynequa, or bear, his x mark,
Wettassa, or brave, his x mark,
Weywaychecawbout, or meeter, his x mark,
Autuppehaw, or mover, his x mark,
Wesheown, or dirty face, his x mark.

Done at Portage des Sioux, in the presence of

R. Wash, *secretary to the commission,*

T. A. Smith, *B. G. U. S. A.*

D'l. Bissell, *brig. gen.*

Stephen Byrd, *col. M. N.*

T. Paul, *C. C. T.*

A. M'Nair, *d. insp.*

Thomas Forsyth, *I. agent,*

Pierre Menard, *I. agent,*

John W. Johnson, *U. S. factor and I. agent,*

Maurice Blondeaux,

Samuel Solomon, *interpreter,*

Samuel Brady, *lieut. 8th U. S. Inf.*

Joseph C. Brown,
H. Battu,
Samuel Whiteside, *capt. N. militia.*

No. 3. A treaty made and concluded by Benjamin Parke, a commissioner on Treaty with the part of the United States of America, of the one part, and the chiefs, the Kickapoos warriors, and head men, of the tribe of Kickapoos of the Vermilion, of the of Vermilion. other part.

Art. 1. The chiefs, warriors, and head men, of the said Kickapoos tribe, agree to cede, and hereby relinquish, to the United States, all the lands which the said tribe has heretofore possessed, or which they may rightfully claim, on the Wabash river, lands on the Wabash, &c. or any of its waters.

Art. 2. And to the end that the United States may be enabled to fix with the other Indian tribes a boundary between their respective claims, the chiefs, warriors, and head men, of the said tribe, do hereby declare, that their rightful claim is as follows, viz: beginning at the northwest corner of the Vincennes tract; thence, westwardly, by the boundary established by a treaty with the Piankeshaws, on the thirtieth day of December, eighteen hundred and five,* to the dividing ridge between the waters of the Embarras and the Little Wabash; thence, by the said ridge, to the source of the Vermilion river; thence, by the same ridge, to the head of Pine creek; thence, by the said creek, to the Wabash river; thence, by the said river, to the mouth of the Vermilion river, and thence by the Vermilion, and the boundary heretofore established, to the place of beginning. (* Ante, chap. 10, No. 2.)

Art. 3. The said chiefs, warriors, and head men, of the said tribe, agree to relinquish, and they do hereby exonerate and discharge the United States from, the annuity of one thousand dollars, to which they are now entitled. In consideration whereof, and of the cession hereby made, the United States agree to pay the said tribe two thousand dollars annually, in specie, for ten years; which, together with three thousand dollars now delivered, is to be considered a full compensation for the cession hereby made, as also of all annuities, or other claims, of the said tribe, against the United States, by virtue of any treaty with the said United States. Kickapoos relinquish annuity of 1,000 dollars. 3,000 dolls. in hand, and 2,000 annually, in specie, for ten years, to the Kickapoos, in full, &c.

Art. 4. As the said tribe contemplate removing from the country they now occupy, the annuity herein provided for shall be paid at such place as may be hereinafter agreed upon between the United States and said tribe. Annuity to be paid at the place hereafter agreed upon.

Art. 5. This treaty, after the same shall be ratified by the president and senate of the United States, shall be binding on the contracting parties. The treaty binding when ratified.

In testimony whereof, the said Benjamin Parke, commissioner as aforesaid, and the chiefs, warriors, and head men, of the said tribe, have hereunto set their hands, at fort Harrison, the thirtieth day of August, in the year eighteen hundred and nineteen.

B. Parke,
Wagohaw, his x mark,
Tecumcena, his x mark,
Kaahna, his x mark,
Macacanaw, his x mark,
La Ferme, his x mark,
Macatewaket, his x mark,
Pelecheah, his x mark,
Kechemaquaw, his x mark,
Pacakingua, his x mark.

In the presence of

John Law, *secretary to the commissioner*,
William Prince, *Indian agent*,
William Markle,
Andrew Brooks,
Pierre Laplante,
James C. Turner,
Samuel L. Richardson,
Michael Brouillet, *U. S. Interpreter*.

JAMES MONROE,

PRESIDENT OF THE UNITED STATES OF AMERICA,

To all and singular to whom these presents shall come, greeting:

Treaty with
the Kickapoos
at Edwards-
ville.

Ratified con-
ditionally.

Whereas a treaty was made and concluded, between the United States of America and the Kickapoo tribe of Indians, at Edwardsville, in the state of Illinois, on the thirtieth day of July, in the year of our Lord one thousand eight hundred and nineteen, by commissioners on the part of the said United States, and the principal chiefs and warriors of the said tribe of Indians, on the part, and in behalf, of the said tribe; which treaty, having been communicated to the senate, was so far sanctioned by that body, that advice and consent was given to its ratification, upon condition that certain specified amendments should be made therein: And whereas, by a treaty, supplementary to, and amendatory of, the aforesaid treaty, made and concluded at St. Louis, in Missouri, by the same commissioners on the part of the United States, and the chiefs and warriors of the Kickapoo tribe, on the nineteenth day of July, in the year of our Lord one thousand eight hundred and twenty, the amendments designated have been effected, to the satisfaction of the senate of the United States, as expressed in

their resolution, of the twenty-ninth day of December now last past, referring the first mentioned treaty, without further act, to the president of the United States, for ratification; the said treaties being in the words following, to wit :

No. 4. A treaty made and concluded at Edwardsville, in the state of Illinois, between Auguste Chouteau, and Benjamin Stephenson, commissioners on the part and behalf of the United States of America, of the one part, and the undersigned principal chiefs and warriors of the Kickapoo tribe of Indians, on the part and behalf of said tribe, of the other part. Treaty with the Kickapoo.

Art. 1. The undersigned chiefs and warriors, for themselves and their said tribe, for, and in consideration of, the promises and stipulations hereinafter made, do hereby cede and relinquish to the United States forever, all their right, interest, and title, of, in, and to, the following tracts of land, viz: The tribe cede tracts of land.

All their land on the southeast side of the Wabash river, including the principal village in which their ancestors formerly resided, consisting of a large tract, to which they have had, from time immemorial, and now have, a just right; that they have never heretofore ceded, or otherwise disposed of, in any manner whatever. Land ceded.

Also, all the land within the following boundaries, viz: Beginning on the Wabash river, at the upper point of their cession, made by the second article of their treaty at Vincennes, on the 9th December, 1809;* running thence, northwestwardly to the dividing line between the states of Illinois and Indiana; thence, along said line, to the Kankakee river; thence, with said river, to the Illinois river; thence down the latter, to its mouth; thence, with a direct line, to the northwest corner of the Vincennes tract, as recognized in the treaty with the Piankeshaw tribe of Indians at Vincennes, on the 30th December, 1805;† and thence, with the western and northern boundaries of the cessions heretofore made by the said Kickapoo tribe of Indians, to the beginning. Of which last described tract of land, the said Kickapoo tribe claim a large portion, by descent from their ancestors, and the balance by conquest from the Illinois nation, and uninterrupted possession for more than half a century. Boundaries of their land ceded.
(*Ante, No. 1, of this chap.)
(†Ante, chap. 10, No. 2.)

Art. 2. The said tribe hereby confirm all their former treaties with the United States, and relinquish to them all claim to every portion of their lands which may have been ceded by any other tribe or tribes, and all and every demand which they might have had, in consequence of the second article of the treaty made with the Pottawattamy nation of Indians at St. Mary's, on the 2d October, 1818.‡ Confirmation of former treaties, and relinquishment of claims, &c.
(‡Post, chap. 15, No. 2.)

Art. 3. The said tribe acknowledge themselves now to be, and promise to continue, under the protection of the United States of America, and of no other nation, power, or sovereign whatever. The tribe under the protection of the U. S.

U. S. released from obligations.

The U. S. to pay \$3,000 annually, in silver, for 15 years.

U. S. pay \$8,000 worth of merchandise, and cede a tract of land in Missouri, &c.

Proviso; tribe cannot sell the land, &c.

U. S. guarantee peaceable possession of the tract they cede.

Citizens may pass and repass.

The U. S. to furnish boats, &c.

U. S. will take the Kickapoos under their protection, &c.

The tribe relinquish all

Art. 4. The said tribe release the United States from all obligations imposed by any treaties heretofore made with them.

Art. 5. The United States, in lieu of all former stipulations, and in consideration of cessions of land heretofore made by the said tribe, promise to pay them, at their town on the waters of the Osage river, two thousand dollars in silver, annually, for fifteen successive years.

Art. 6. In consideration of the cession made by the aforesaid tribe, in the first article of this treaty, the United States, in addition to three thousand dollars' worth of merchandise this day paid to the said tribe, hereby cede to them, and their heirs forever, a certain tract of land lying in the territory of Missouri, and included within the following boundaries, viz: Beginning at the confluence of the rivers Pommes de Terre and Osage; thence, up said river Pommes de Terre, to the dividing ridge, which separates the waters of Osage and White rivers; thence, with said ridge, and westwardly, to the Osage line; thence, due north with said line, to Nerve creek; thence, down the same, to a point due south of the mouth of White Clay, or Richard Creek; thence, north, to the Osage river; thence, down said river, to the beginning: *Provided, nevertheless,* That the said tribe shall never sell the said land without the consent of the president of the United States.*

Art. 7. The United States promise to guarantee to the said tribe the peaceable possession of the tract of land hereby ceded to them, and to restrain and prevent all white persons from hunting, settling, or otherwise intruding upon it. But any citizen or citizens of the United States, being lawfully authorized for that purpose, shall be permitted to pass and repass through the said tract, and to navigate the waters thereof, without any hindrance, toll, or exaction, from the said tribe.

Art. 8. For the purpose of facilitating the removal of the said tribe to the tract of land hereby ceded to them, the United States will furnish them with two boats, well manned, to transport their property, from any point they may designate on the Illinois river, and some judicious citizen shall be selected to accompany them, in their passage through the white settlements, to their intended residence.

Art. 9. The United States will take the said Kickapoo tribe under their care and patronage, and will afford them protection against all persons whatever, provided they conform to the laws of the United States, and refrain from making war, or giving any insult or offence to any other Indian tribe, or to any foreign nation, without first having obtained the approbation and consent of the United States.

Art. 10. The said tribe, in addition to their above described cessions, do hereby cede and relinquish to the United States,

* This art. altered and amended, see post, No. 5, of this chapter.

generally, and without reservation, all other tracts of land to which they have any right or title on the left side of the Illinois and Mississippi rivers. tracts on the left of the Illinois, and Mississippi.

In testimony whereof, the commissioners aforesaid, and the undersigned chiefs and warriors as aforesaid, have hereunto subscribed their names and affixed their seals.

Done at Edwardsville, in the state of Illinois, this thirtieth day of July, in the year of our Lord one thousand eight hundred and nineteen, and of the independence of the United States the forty-fourth.

Aug. Chouteau,
Ben. Stephenson,
Pemoatom, his x mark,
Little Thunder, by the White Elk, his x mark,
Keetatta, his x mark,
Tecko, his x mark,
Weesoetec, his x mark,
Meekasaw, his x mark,
Neekawnakoa, his x mark,
Paeon, by Petshekosheek, his x mark,
Wawpeekenyaw, his x mark,
Peckoneca, his x mark,
Anckoaw, his x mark,
Namattsheekceaw, his x mark,
Sawkeema, his x mark,
Wawpeepoaw, his x mark,
Panceesa, his x mark,
Pawkonasheeno, his x mark,
Ankwiskkaw, his x mark,
Shekoan, his x mark,
Pashecto, his x mark,
Wawpackeshaw, his x mark,
Awwatshee, his x mark,
Mawntoho, his x mark,
Keetshay, his x mark.

Signed, sealed, and delivered, in presence of the following witnesses:

Pascal Cerre, *secretary to the commissioners,*
Jacques Mette, *interpreter*
Ninian Edwards,
John Dew,
Thornton Peebles,
Tillery Merrick,
Dan. D. Smith,
Isaac A. Douglass,
Edmund Randle,
Palem H. Wenchester,
N. Buckmaster,
Thomas Harcens,
Henry Head,
John Wilson,
Joseph Doer,
Elbert Perry,
Joseph Remington,
J. L. Barton,
David Roach,
William Head,
John Lee Williams,

Wm. W. Hickman,
 Jacob Prickett,
 James Watt,
 Joseph B. Lewis,
 Jona H. Pugh,
 William P. M'Kee,
 Stephen Johnson,
 Nathan Clampet,
 Reuben Hopkins,
 Joseph Newman.

Supplemen-
 tary treaty
 with the
 Kickapoos.

No. 5. A treaty, made and concluded* by, and between Auguste Chouteau and Benjamin Stephenson, commissioners of the United States of America, on the part and behalf of the said states, of the one part, and the undersigned chiefs and warriors, of the Kickapoo tribe of Indians, on the part and behalf of their said nation, of the other part, the same being supplementary to, and amendatory of, the treaty made and concluded at Edwardsville, on the 30th July, 1819, between the United States and the said Kickapoo nation.

Sixth art. of
 the treaty of
 Edwardsville
 altered and
 amended.

Substitute for
 the 6th art. of
 the treaty of
 Edwardsville.

Art. 1. It is agreed, between the United States and the Kickapoo tribe of Indians, that the sixth article of the treaty, to which this is supplementary, shall be, and the same is hereby, altered and amended, so as to read as follows, viz:

In consideration of, and exchange for, the cession made by the aforesaid tribe, in the first article of this treaty, the United States, in addition to three thousand dollars' worth of merchandise, this day paid to the said tribe, hereby cede to the said tribe, to be by them possessed in like manner as the lands, ceded by the first article of this treaty by them to the United States, were possessed, a certain tract of land in the territory of Missouri, and included within the following boundaries, viz: Beginning at the confluence of the rivers Pommes de Terre and Osage; thence, up said river Pommes de Terre to the dividing ridge which separates the waters of Osage and White rivers; thence, with said ridge, and westwardly, to the Osage line; thence, due north with said line, to Nerve Creek; thence, down the same, to a point due south of the mouth of White Clay, or Richard creek; thence, north, to the Osage river; thence, down said river, to the beginning.

In testimony whereof, the commissioners aforesaid, and the undersigned chiefs and warriors as aforesaid, have hereunto subscribed their names and affixed their seals.

Done at St. Louis, in the territory of Missouri, the 19th of July, in the year of our Lord one thousand eight hundred and twenty, and of the Independence of the United States the forty-fifth.

Aug. Chouteau,
 Ben. Stephenson,
 Pemoatam, his x mark,

Quitattay, his x mark,
 Pawpaussapeewaw, his x mark,
 Waysheewun, his x mark,
 Paywaneckway, his x mark,
 Keeawnaw, his x mark,
 Shee Sheep, his x mark,
 Keesawonaw, his x mark,
 Mawkwawteppa, his x mark,
 Waywetsheecawpaw, his x mark,
 Keeotay, his x mark,
 Wawponashee, his x mark,
 Weepokothce, his x mark,
 Paysheesaw, his x mark,
 Wawpee Konyaw, his x mark,
 Auckoaw, his x mark,
 Namatchce, his x mark,
 Wakykapa, his x mark,
 Keechkakoy, his x mark,
 Saw Koy, his x mark,
 Namatt Shee Keeaw, his x mark,
 Keesasway, his x mark,
 Pemoatam Oseemin, his x mark,
 Wawpeepoaw, his x mark,
 Mentowta, his x mark,
 Pawpaw Keemene, his x mark,
 Sheekeemakow, his x mark,
 Pawkonesheeno, his x mark,

Signed, sealed, and delivered, in presence of the following witnesses :

Pascal Cerre, *secretary to the commissioners,*
 Jacques Mette, *interpreter,*
 Jm. Ruland, *sub-agent,*
 Th. Estes,
 Geo. Y. Bright,
 J. Brand,
 Mal. Detandebarat,
 Gabriel G. Chouteau,
 Henry P. Chouteau,
 Felix St. Vrain,
 G. P. Cerre,
 F. Simon,
 Peter Didier,
 T. Goddard,
 Gl. Paul,
 R. Paul, *col. Mi. Mia.*
 Tho. T. Loury,
 T. B. Mathurin,
 B. Provinchere.

Now, therefore, be it known, That I, James Monroe, president of the United States of America, having seen and considered the said treaties, have, by, and with the advice and consent of the senate, as aforesaid, given, accepted, ratified, and confirmed, the same, and every clause and article thereof.

In testimony whereof, I have caused the seal of the United States to be hereunto affixed, having first signed the same with my hand.

Done in the city of Washington, this thirteenth day of January, in the year of our Lord one thousand eight hundred

and twenty-one; and of the Independence of the United States the forty-fifth.

JAMES MONROE.

By the President.

JOHN QUINCY ADAMS,
Secretary of State.

Convention with the Kickapoos of the Vermilion. No. 6. Articles of a convention made and concluded, between Benjamin Parke, a commissioner on the part of the United States, for that purpose, of the one part, and the chiefs, warriors, and head men, of the tribe of Kickapoos of the Vermilion, of the other part.

Annuity to be hereafter paid to the tribe at Kaskaskias. Art. 1. It is agreed, that the annuity secured to the said tribe, by the treaty of the thirtieth of August, eighteen hundred and nineteen,* shall hereafter be paid to the said tribe at Kaskaskias, in the state of Illinois.

2,000 dolls. paid to the tribe, to enable them to remove; in full for annuity of 1821. Art. 2. As the said tribe are now about leaving their settlements on the Wabash, and have desired some assistance to enable them to remove, the said Benjamin Parke, on behalf of the United States, has paid and advanced to the said tribe, two thousand dollars, the receipt whereof is hereby acknowledged; which said sum of two thousand dollars, is to be considered as an equivalent, in full, for the annuity due the said tribe, by virtue of the aforesaid treaty, for the year eighteen hundred and twenty-one.

In testimony whereof, the said Benjamin Parke, commissioner as aforesaid, and the chiefs, warriors, and head men, of the said tribe, have hereunto set their hands, at Vincennes, the fifth day of September, eighteen hundred and twenty.

B. Parke,
Wagohaw, his x mark,
Tecumseha, his x mark,
Pelecheah, his x mark,
Kechemaqua, his x mark,
Paca Riqua, her x mark,
Katewah, his x mark,
Nasa Reah, his x mark.

In presence of

William Prince, *Indian agent*,
Samuel Jacobs,
R. S. Reynolds,
George R. C. Sullivan, *Vincennes Postmaster*.
Toussaint Dubois,
Michael Brouillet, *interpreter*.

[*Note.* Besides the treaties of this chapter, the Kickapoos are parties to others, for which see ante, chap. 3, Nos. 3, 4, 5, 14.]

* Ante, No. 3, of this chapter.

CHAPTER XV.

Treaties with the Poutawatamies.

No. 1. A treaty of peace and friendship made and concluded between William Clark, Ninian Edwards, and Auguste Chouteau, commissioners plenipotentiary of the United States of America, on the part and behalf of the said states, of the one part; and the undersigned chiefs and warriors of the Poutawatamie tribe or nation, residing on the river Illinois, on the part and behalf of the said tribe or nation, of the other part. Treaty with the Poutawatamies.

The parties being desirous of re-establishing peace and friendship between the United States and the said tribe or nation, and of being placed in all things, and in every respect, on the same footing upon which they stood before the war, have agreed to the following articles. Parties desirous of re-establishing peace.

Art. 1. Every injury or act of hostility by one or either of the contracting parties against the other, shall be mutually forgiven and forgot. Injuries to be forgiven.

Art. 2. There shall be perpetual peace and friendship between all the citizens of the United States of America, and all the individuals composing the said Poutawatamie tribe or nation. Perpetual peace.

Art. 3. The contracting parties hereby agree, promise and bind themselves, reciprocally, to deliver up all the prisoners now in their hands (by what means soever the same may have come into their possession) to the officer commanding at fort Clarke, on the Illinois river, as soon as it may be practicable. Prisoners to be delivered up.

Art. 4. The contracting parties, in the sincerity of mutual friendship, recognize, re-establish and confirm, all and every treaty, contract and agreement, heretofore concluded between the United States, and the Poutawatamie tribe or nation. Former treaties confirmed.

In witness of all and every thing herein determined between the United States of America, and the said Poutawatamie tribe or nation, residing on the river Illinois: we, their underwritten commissioners and chiefs aforesaid, by virtue of our full powers, have signed this definitive treaty, and have caused our seals to be hereunto affixed. Done at Portage des Sioux, this eighteenth day of July, in the year of our Lord one thousand eight hundred and fifteen, and of the independence of the United States the fortieth.

William Clark,
Ninian Edwards,
Auguste Chouteau,
Sunawchewome, his x mark,
Mucketepoke, or Black Partridge, his x mark,
Neggeneshkek, his x mark,
Chawcawbeme, his x mark,
Bendegakewa, his x mark,
Wapewy, or White Hair, his x mark.
Ontawa, his x mark.

*In the presence of*R. Wash, *secretary to the commission.*Thomas Forsyth, *Agent,*N. Boivin, *agent,*T. Paul, *C. M.*

Maurice Blondeaux,

Manuel Lisa, *agent,*John Miller, *col. 3d infantry,*Richard Chitwood, *major M.*Win. Irvine Adair, *capt. 3d regiment United States' infantry,*

Cyrus Edwards,

Samuel Solomon,

Jaques Mett,

Louis Deconagne,

John A. Camero,

} *sworn interpreters.*Treaty with
the Pattawati-
mas.

No. 2. Articles of a treaty made and concluded at St. Mary's, in the state of Ohio, between Jonathan Jennings, Lewis Cass, and Benjamin Parke, commissioners of the United States, and the Pattawatima nation of Indians.

Cession of
lands by the
Pattawatimas.

Art. 1. The Pattawatima nation of Indians cede to the United States all the country comprehended within the following limits: Beginning at the mouth of the Tippecanoe river, and running up the same to a point twenty-five miles in a direct line from the Wabash river—thence, on a line as nearly parallel to the general course of the Wabash river as practicable, to a point on the Vermilion river, twenty-five miles from the Wabash river; thence, down the Vermilion river to its mouth, and thence, up the Wabash river, to the place of beginning. The Pattawatimas also cede to the United States all their claim to the country south of the Wabash river.

U. S. agree to
purchase
Kickapoo
claims.

Art. 2. The United States agree to purchase any just claim which the Kickapoos may have to any part of the country hereby ceded below Pine creek.

U. S. to pay
the Pattawati-
mas a perpe-
tual annuity—
and all annu-
ties in silver.

Art. 3. The United States agree to pay to the Pattawatimas a perpetual annuity of two thousand five hundred dollars in silver; one half of which shall be paid at Detroit, and the other half at Chicago; and all annuities which, by any former treaty, the United States have engaged to pay to the Pattawatimas, shall be hereafter paid in silver.

Grants to per-
sons named in
schedule.—but
not to be con-
veyed without
consent.

Art. 4. The United States agree to grant to the persons named in the annexed schedule, and their heirs, the quantity of land therein stipulated to be granted; but the land so granted shall never be conveyed by either of the said persons, or their heirs, unless by the consent of the president of the United States.

In testimony whereof, the said Jonathan Jennings, Lewis Cass, and Benjamin Parke, commissioners as aforesaid, and the sachems, chiefs, and warriors, of the Pattawati-

ma tribe of Indians, have hereunto set their hands, at St. Mary's, in the state of Ohio, this second day of October, in the year of our Lord one thousand eight hundred and eighteen, and of the independence of the United States the forty-third.

Jonathan Jennings,
Lewis Cass,
B. Parke,
Tuthinepee, his x mark,
Cheebaas, his x mark,
Metamice, his x mark,
Winemakoos, his x mark,
Mescotnome, his x mark,
Wabmeshema, his x mark,
Shawano, his x mark,
Chacapma, his x mark,
Menomene, his x mark,
Wogaw, his x mark,
Metea, his x mark,
Metchepagiss, his x mark,
Nautchegno, his x mark,
Osheochebe, his x mark,
Keesis, his x mark,
Conge, his x mark,
Onoxas, his x mark,
Mectenwa, his x mark,
Scomack, his x mark,
Chewago, his x mark,
Jowish, his x mark,
Checalk, his x mark,
Esheam, his x mark,
Pesotem, his x mark,
Petcheco, his x mark,
Shepage, his x mark,
Sheackackabe, his x mark,
Peaneesh, his x mark,
Macota, his x mark,
Mona, or Moran, his x mark,
Mocksa, his x mark,
Nanouseka, his x mark,
Wistea, his x mark,
Mowa, or Black Wolf, his x mark.

In presence of

James Dill, *secretary to the commissioners*,
William Turner, *secretary*,
Jno. Johnston, *Indian agent*,
B. F. Stickney, *S. I. A.*
William Prince, *Indian agent*,
John Conner,
William Conner, *interpreter*,
R. A. Forsyth, *secretary of Indian affairs*,
Isaac Burnett,
Benedict Jh. Flaget, *bishop of Bardstown*,
G. Godfroy, *Indian agent*,
John F. Chunn, *major 3d infantry*,
P. Hackley, *capt. 3d infantry*.

Schedule referred to in the foregoing treaty.

There shall be granted to James Burnett, Isaac Burnett, Jacob Burnett, and Abraham Burnett, two sections of land each; grantees.

and to Rebecca Burnett and Nancy Burnett, one section of land each ; which said James, John, Isaac, Jacob, Abraham, Rebecca, and Nancy, are children of Cakimi, a Pattawatima woman, sister of Topinibe, principal chief of the nation ; and six of the sections herein granted, shall be located from the mouth of the Tippecanoe river, down the Wabash river, and the other six [five] sections shall be located at the mouth of Flint river.

There shall be granted to Perig, a Pattawatima chief, one section of land on the Flint river, where he now lives. There shall also be granted to Mary Chatalie, daughter of Neebosh, a Pattawatima chief, one section of land, to be located below the mouth of Pine river.

JONATHAN JENNINGS,
LEWIS CASS,
B. PARKE.

[*Note* The Potawatimies are moreover parties, in common, to other treaties, for which see ante, chap. 3, Nos. 2, 3, 4, 6, 7, 8, 9, 10, 13, 15, 16, 20.]

CHAPTER XVI.

Treaty with the Teetons.

Treaty with
the Teetons.

No. 1. A treaty of peace and friendship made and concluded between William Clark, Ninian Edwards, and Auguste Chouteau, commissioners plenipotentiary of the United States of America, on the part and the behalf of the said states, of the one part ; and the undersigned chiefs and warriors of the Tecton tribe of Indians, on the part and behalf of their said tribe, of the other part.

Parties desirous of re-establishing peace.

The parties being desirous of re-establishing peace and friendship between the United States and the said tribe, and of being placed in all things, and in every respect, on the same footing upon which they stood before the late war between the United States and Great Britain, have agreed to the following articles :

Injuries to be forgiven.

Art. 1. Every injury or act of hostility committed by one or either of the contracting parties against the other, shall be mutually forgiven and forgot.

Perpetual peace.

Art. 2. There shall be perpetual peace and friendship between all the citizens of the United States of America, and all the individuals composing the said Teeton tribe, and the friendly relations that existed between them before the war, shall be and the same are hereby renewed.

Teetons under protection of U. States.

Art. 3. The undersigned chiefs and warriors, for themselves, and their said tribe, do hereby acknowledge themselves and their aforesaid tribe to be under the protection of the United States of America, and of no other nation, power or sovereign whatsoever.

In witness whereof, the said William Clark, Ninian Edwards, and Auguste Chouteau, commissioners as aforesaid, and the chiefs and warriors of the said tribe, have hereunto subscribed their names, and affixed their seals this nineteenth day of July, one thousand eight hundred and fifteen, and of the independence of the United States the fortieth.

William Clark,
Ninian Edwards,
Auguste Chouteau,
Eskatapia, the Player, his x mark,
Tantanga, the true buffalo, his x mark,
Mazamanie, the walker in iron, his x mark,
Wanakagmamee, the stamper, his x mark,
Weechachamanza, the man of iron, his x mark,
Ikmonacoulai, the shooting tiger, his x mark,
Uakalincoukai, the wind that passes, his x mark,
Washeejonjrtga, the left handed Frenchman, his x mark,
Monetowanari, the bear's soul, his x mark.

Done at Portage des Sioux, in the presence of

R. Wash, *secretary to the commission*,
John Miller, *col. 5d inf.*
H. Dodge, *brig. gen. Missouri militia*,
T. Paul, *C. T. of the C.*
Manuel Lisa, *agent*,
Thomas Forsyth, *I. agent*,
Maurice Blondeaux,
John A. Cameron,
Louis Decouagne,
Louis Dorion,
Cyrus Edwards,
John Hay.

CHAPTER XVII.

Treaties with the Sioux.

No. 1. A treaty of peace and friendship, made and concluded between William Clark, Ninian Edwards, and Auguste Chouteau, commissioners plenipotentiary of the United States of America on the part and behalf of the said states, of the one part; and the undersigned chiefs and warriors of the Sioux of the Lakes, on the part and behalf of their tribe, on the other part.

The parties being desirous of re-establishing peace and friendship between the United States and the said tribe, and of being placed in all things, and in every respect, on the same footing upon which they stood before the late war, between the United States and Great Britain, have agreed to the following articles.

Art. 1. Every injury or act of hostility committed by one or either of the contracting parties against the other, shall be mutually forgiven and forgot.

Perpetual
peace.

Art. 2. There shall be perpetual peace and friendship between all the citizens of the United States of America, and all the individuals composing the said tribe of the lakes, and all the friendly relations that existed between them before the war, shall be and the same are hereby renewed.

Protection of
the U. S. ac-
knowledge.

Art. 3. The undersigned chiefs and warriors, for themselves, and their said tribe, do hereby acknowledge themselves and their aforesaid tribe to be under the protection of the United States, and of no other nation, power or sovereign whatsoever.

In witness whereof, the said William Clark, Ninian Edwards, and Auguste Chouteau, commissioners aforesaid, and the chiefs and warriors of the aforesaid tribe, have hereunto subscribed their names and affixed their seals this nineteenth day of July, in the year of our Lord one thousand eight hundred and fifteen, and of the independence of the United States the fortieth.

William Clark,
Ninian Edwards,
Auguste Chouteau,
Tatangamanie, the walking buffalo, his x mark,
Haisanwee, the horn, his x mark,
Aampahaa, the speaker, his x mark,
Narcesagata, the hard stone, his x mark,
Haibohaa, the branching horn, his x mark.

Done at Portage des Sioux, in the presence of

R. Wash, *secretary to the commission*,
John Miller, *col. 3d inf.*
T. Paul, *C. T. of the C.*
Edmund Hall, *lieut. late 28th inf.*
J. B. Clark, *adj. 3d inf.*
Manuel Lisa, *agent*,
Thomas Forsyth, *I. agent*,
Jno. W. Johnson, *U. S. factor and Indian agent*,
Maurice Blondeaux,
Lewis Decouagne,
Louis Dorion,
John A. Cameron,
Jacques Mettee,
John Hay.

Treaty with
the Sioux of
the river St.
Peter.

No. 2. A treaty of peace and friendship made and concluded between William Clark, Ninian Edwards, and Auguste Chouteau, commissioners plenipotentiary of the United States of America, on the part and behalf of the said states, of the one part; and the chiefs and warriors of the Sioux of the river St. Peter, on the part and behalf of their said tribe, on the other part.

Parties desirous of re-
establishing
peace.

The parties being desirous of re-establishing peace and of being placed in all things and in every respect, on the same footing upon which they stood before the late war between the United States and Great Britain, have agreed to the following articles:

Art. 1. Every injury or act of hostility committed by one or either of the contracting parties against the other, shall be ^{Injuries to be forgiven.} mutually forgiven and forgot.

Art. 2. There shall be perpetual peace and friendship between the citizens of the United States of America, and all the ^{Perpetual peace.} individuals composing the tribe of Sioux of the river St. Peter; and all the friendly relations that existed between them before the war, shall be and the same are hereby renewed.

Art. 3. The undersigned chiefs and warriors, for themselves and their said tribe, do hereby acknowledge themselves ^{Protection of U. States acknowledged.} and their tribe to be under the protection of the United States, and of no other power, nation or sovereign whatsoever.

In testimony whereof, the said William Clark, Ninian Edwards, and Auguste Chouteau, commissioners as aforesaid, and the chiefs and warriors of the aforesaid tribe, have hereunto subscribed their names and affixed their seals this nineteenth day of July, in the year of our Lord one thousand eight hundred and fifteen, and of the independence of the United States the fortieth.

William Clark,
Ninian Edwards,
Auguste Chouteau,
Ensignancee, that flies as he walks, his x mark,
Wasoukapaha, the falling hail, his x mark,
Champsisaba, the black war club, his x mark,
Maupinsaba, the black cloud, his x mark,
Tatanaza, the iron wind, his x mark,
Nankanandee, who puts his foot in it, his x mark

Done at Portage des Sioux, in the presence of

R. Wash, *secretary to the commission,*
John Miller, *col. 3d infantry,*
H. Paul, *C. T. of the C.*
John F. Chunn, *brevet major of the U. S. army,*
Edmund Hall, *Leut. late 28th inf.*
Manuel Lisa, *agent,*
Thomas Forsyth, *Indian agent,*
J. W. Johnson, *U. S. F. and I. agent,*
Maurice Blondiaux,
Louis Decouagne,
John A. Cameron,
Louis Dorion,
Jacques Matte,

sworn interpreters.

No. 3. A treaty of peace and friendship, made and concluded between William Clark, Ninian Edwards, and Auguste Chouteau, commissioners plenipotentiary of the United States of America, on the part and behalf of the said states, of the one part; and the undersigned chiefs and warriors, representing eight bands of the Sioux, composing the three tribes called the Sioux of the Leaf, the Sioux of the Broad Leaf, and the Sioux who shoot in the Pine tops, on the part and behalf of their said tribes, of the other part. ^{Treaty with the Sioux of the Leaf, of the Broad Leaf, and who shoot in the Pine Tops.}

The parties being desirous of re-establishing peace and friendship between the United States and the said tribes, and of be- ^{Parties desirous of re-es-}

establishing
peace.

Injuries to be
forgiven.

Perpetual
peace.

Cessions of
land to the
British,
French, or
Spanish go-
vernment,
confirmed to
U States, and
all former
treaties recog-
nized.

Protection of
the U. States
acknowledged.

ing placed in all things, and in every respect, on the same footing upon which they stood before the late war between the United States and Great Britain, have agreed to the following articles:

Art. 1. Every injury or act of hostility, committed by one or either of the contracting parties against the other, shall be mutually forgiven and forgot.

Art. 2. There shall be perpetual peace and friendship between all the citizens of the United States, and all the individuals composing the aforesaid tribes; and all the friendly relations that existed between them before the war, shall be, and the same are hereby, renewed.

Art. 3. The undersigned chiefs and warriors, for themselves and their tribes respectively, do, by these presents, confirm to the United States all and every cession, or cessions, of land heretofore made by their tribes to the British, French, or Spanish government, within the limits of the United States or their territories; and the parties here contracting do, moreover, in the sincerity of mutual friendship, recognize, re-establish, and confirm, all and every treaty, contract, and agreement, heretofore concluded between the United States and the said tribes or nations.

Art. 4. The undersigned chiefs and warriors as aforesaid, for themselves and their said tribes, do hereby acknowledge themselves to be under the protection of the United States, and of no other nation, power, or sovereign, whatsoever.

In witness whereof, the commissioners aforesaid, and the undersigned chiefs and warriors as aforesaid, have hereunto subscribed their names and affixed their seals, this first day of June, in the year of our Lord one thousand eight hundred and sixteen, and of the independence of the United States the fortieth.

William Clark,

Ninian Edwards,

Auguste Chouteau,

Tatamanee, the Marching Wind, his x mark,

Warmadearwarup, the Man who looks at the Calumet Eagle, his x mark,

Peneshon, his x mark,

Kanggawashecha, or French Crow, his x mark,

Eanggamanee, the Runner, his x mark,

Tatangascartop, the Playing Buffalo, his x mark,

Tatangamanee, the Walking Buffalo, or Red Wing, his x mark.

Warsecanta, who shoots in the Pine tops, his x mark,

Weeshto, the Shoulder, his x mark,

Warmarnosa, the Thief, his x mark,

Shutkaongka, the Bird on the Limb, his x mark,

Shakaska, White Nails, his x mark,

Shuskamanee, the Walking Bird, his x mark,

Manakohomonee, the Turning Iron, his x mark,

Oocus, the Watchman, his x mark,

Pahataka, the Humming Bird, his x mark,

Eaohungko, the Man who marches quick, his x mark,
 Medermee, the Muddy Lake, his x mark,
 Tatawaka, the Medicine Wind, his x mark,
 Warshushasta, the Bad Hail, his x mark,
 Eoshark, the Belly-Ache, his x mark,
 Tuquaacundup, the Doctor, his x mark,
 Onudokes, the Fluttering Eagle, his x mark,
 Tusarquarp, he that walks with a Cane, his x mark,
 Markpeasena, the Black Cloud, his x mark,
 Warksuamane, the Man who is sick when he walks, his x mark,
 Otanggamane, the Man with a strong Voice, his x mark,
 Hungkrehearpee, or the Half of his Body Gray, his x mark,
 Warpearmusee, the Iron Cloud, his x mark,
 Etoagungamane, the White Face, his x mark,
 Warchesunsapa, the Negro, his x mark,
 Ehaarp, the Climber, his x mark,
 Nahre, the Shifting Shadow, his x mark,
 Hapula, the fourth Son, his x mark,
 Marcawachup, the Dancer, his x mark,
 Shantanggaup, the Big Tree, his x mark,
 Shongkaska, the White Big-eared Dog, his x mark,
 Hasanee, the Buffalo with one Horn, his x mark,
 Narissakata, the Old Man who can hardly Walk, his x mark,
 Aearpa, the Speaker, his x mark,
 Muckpeasarp, the Black Cloud, his x mark.

Done at St. Louis, in the presence of

R. Wash, *secretary to the commission*,
 R. Paul, *C. T. of the C.*
 Wm. O. Allen, *captain United States corps artillery*,
 H. S. Geyer,
 Joshua Norvell, *judge advocate, M. M.*
 N. Boilvin, *agent*,
 Thomas Forsyth, *I. agent*,
 Maurice Blondeaux,
 Henry Delorier, *interpreter*,
 Pierre Lapointe, *interpreter*,
 Samuel Solomon, *interpreter*,
 Jacques Mette, *interpreter*,
 Cere,
 Richard Cave,
 Willi Cave,
 Julius Peacay.

CHAPTER XVIII.

Treaty with the Yancions.

No. 1. A treaty of peace and friendship made and concluded between Wil-Treaty with
 liam Clark, Ninian Edwards, and Auguste Chouteau, commissioners pleni-the Yancions.
 potentiary of the United States of America, on the part and behalf of the
 said states, of the one part, and the undersigned chiefs and warriors of the
 Yancion tribe of Indians, on the part and behalf of their said tribe, of the
 other part.

The parties being desirous of re-establishing peace and friendship between the United States and the said tribe, and Parties desir-
 ous of re-esta-
 blishing peace.

of being placed in all things, and in every respect, on the same footing upon which they stood before the late war between the United States and Great Britain, have agreed to the following articles:

Injuries mutually forgiven. *Art. 1.* Every injury, or act of hostility, committed by one or either of the contracting parties against the other shall be mutually forgiven and forgot.

Friendly relations renewed and perpetuated. *Art. 2.* There shall be perpetual peace and friendship between all the citizens of the United States of America, and all the individuals composing the said Yaneton tribe, and all the friendly relations that existed between them before the war shall be, and the same are hereby renewed.

Protection of the U. S. acknowledged. *Art. 3.* The undersigned chiefs and warriors for themselves and their said tribe, do hereby acknowledge themselves to be under the protection of the United States of America, and of no other nation, power or sovereign whatsoever.

In witness whereof, the said William Clark, Ninian Edwards and Auguste Chouteau, commissioners as aforesaid, and the chiefs aforesaid, have hereunto subscribed their names and affixed their seals, this nineteenth day of July, in the year of our Lord one thousand eight hundred and fifteen, and of the independence of the United States the fortieth.

Wm. Clark,
Ninian Edwards,
Auguste Chouteau,
Moulori, or white bear, his x mark,
Waskaijingo, or little dish, his x mark,
Padamape, or panis sticker, his x mark,
Chaponge or musquitoe, his x mark,
Mindalonga, partisan, or war chief,
Weopaatowechashla, or sun set,
Tokaymhominee, or the rock that turns, his x mark,
Keonorunco, or fast flyer, his x mark,
Mazo, or the iron, his x mark,
Haiwongeeda, or one horn, his x mark,
Mazehaio, or arrow sender, his x mark.

Done at the Portage des Sioux, in the presence of

R. Wash, *secretary to the commission,*
John Miller, *col. 3d. inf.*
H. Dodge, *brig. genl. Missouri militia,*
Manuel Lisa, *agent,*
Thomas Forsyth, *I. agent,*
Maurice Blondeaux,
Jacques Mette,
John A. Cameron,
R. Paul, *C. T. of the commis.*
Louis Decouagne,
Cyrus Edwards,
Lewis Dorion,
John Hay, *interpreter.*

CHAPTER XIX.

Treaties with the Mahas.

No. 1. A treaty of peace and friendship made and concluded between William Clark, Ninian Edwards, and Auguste Chouteau, commissioners plenipotentiary of the United States of America, on the part and behalf of the said states, of the one part, and the undersigned chiefs and warriors of the Mahas, on the part and behalf of said tribe or nation, on the other part.

Treaty with
the Mahas.

The parties being desirous of re-establishing peace and friendship between the United States and the said tribe or nation, and of being placed, in all things, and in every respect, on the same footing upon which they stood before the late war between the United States and Great Britain, have agreed to the following articles:

Parties desirous
of re-es-
tablishing
peace.

Art. 1. Every injury or act of hostility, committed by one or either of the contracting parties against the other, shall be mutually forgiven and forget.

Injuries to be
mutually for-
given.

Art. 2. There shall be perpetual peace and friendship between all the citizens of the United States of America, and all the individuals composing the tribe or nation of the Mahas, and all friendly relations that existed between them before the war, shall be and the same are hereby renewed.

Friendly rela-
tions renewed
and perpetuat-
ed.

Art. 3. The undersigned chiefs and warriors, for themselves and their said tribe or nation, do hereby acknowledge themselves and their tribe or nation to be under the protection of the United States, and of no other nation, power or sovereign whatsoever.

Protection of
the U. S. ac-
knowledged.

In witness whereof, the said William Clark, Ninian Edwards, and Auguste Chouteau, commissioners as aforesaid, and the chiefs and warriors of the aforesaid tribe or nation, have hereunto subscribed their names and affixed their seals, this twentieth day of July, in the year of our Lord one thousand eight hundred and fifteen, and of the independence of the United States the fortieth.

William Clark,
Ninian Edwards,
Auguste Chouteau,
Oupuatanga, or the big elk, his x mark,
Washecananie, or the hard walker, his x mark,
Kaaheguia, or the old chief, his x mark,
Waanowrabai, or the blackbird's grandson, his x mark,
Osoogagee, or the point maker, his x mark,
Toireechee, or the cow's rib, his x mark,
Manshaquita, or the little soldier, his x mark,
Pissinguai, or he who has no gall, his x mark,

Done at Portage des Sioux, in the presence of

R. Wash, *secretary to the commission,*

John Miller, *col. 3d inf.*

R. Paul, *C. T. of the C.*

Edw. Hall, *lt. late 28th inf.*

John B. Clark, *adj. 3d inf.*
 Manuel Lisa, *agent*,
 Thos. Forsyth, *I. agent*,
 J. W. Johnson, *I. agent*,
 Louis Decouagne,
 Louis Dorion,
 John A. Cameron,
 Jacques Mette.

Treaty with
the Mahas.

No. 2. For the purpose of perpetuating the friendship which has heretofore existed, as also to remove all future cause of discussion or dissension, as it respects trade and friendship between the United States and their citizens, and the Maha tribe of Indians, the president of the United States of America, by brigadier-general Henry Atkinson, of the United States' army, and major Benjamin O'Fallon, Indian agent, with full powers and authority, specially appointed and commissioned for that purpose, of the one part, and the undersigned chiefs, head men, and warriors, of the said Maha tribe of Indians, on behalf of their tribe, of the other part, have made and entered into the following articles and conditions, which, when ratified by the President of the United States, by and with the advice and consent of the senate, shall be binding on both parties—to wit:

Mahas within
limits of the
U. States, ac-
knowledge
protection and
right to regu-
late trade.

Art. 1. It is admitted by the Maha tribe of Indians, that they reside within the territorial limits of the United States, acknowledge their supremacy, and claim their protection. The said tribe also admit the right of the United States to regulate all trade and intercourse with them.

Protection and
kindness ex-
tended to
them.

Art. 2. The United States agree to receive the Maha tribe of Indians into their friendship, and under their protection, and to extend to them, from time to time, such benefits and acts of kindness as may be convenient, and seem just and proper to the president of the United States.

Trade to be
transacted at
places to be
designated,
&c.

Art. 3. All trade and intercourse with the Maha tribe shall be transacted at such place or places as may be designated and pointed out by the president of the United States, through his agents; and none but American citizens, duly authorized by the United States, shall be admitted to trade or hold intercourse with said tribe of Indians.

Licensed tra-
ders to be ad-
mitted and
protected.

Art. 4. That the Maha tribe may be accommodated with such articles of merchandise, &c. as their necessities may demand, the United States agree to admit and license traders to hold intercourse with said tribe, under mild and equitable regulations: in consideration of which, the Maha tribe bind themselves to extend protection to the persons and the property of the traders, and the persons legally employed under them, whilst they remain within the limits of their particular district of country. And the said Maha tribe further agree,

No foreigner
to be admitted
in their coun-
try for purpo-
ses of trade.

that if any foreigner or other person, not legally authorized by the United States, shall come into their district of country, for the purposes of trade or other views, they will apprehend such person or persons, and deliver him or them to some United

States' superintendent, or agent of Indian affairs, or to the commandant of the nearest military post, to be dealt with according to law.—And they further agree to give safe conduct to all persons who may be legally authorized by the United States to pass through their country; and to protect, in their persons and property, all agents or other persons sent by the United States to reside temporarily among them; nor will they, whilst on their distant excursions, molest or interrupt any American citizen or citizens who may be passing from the United States to New Mexico, or returning from thence to the United States.

All agents, &c. sent by the U. States to be protected; and citizens passing to New Mexico not to be molested.

Art. 5. That the friendship which is now established between the United States and the Maha tribe should not be interrupted by the misconduct of individuals, it is hereby agreed, that for injuries done by individuals, no private revenge or retaliation shall take place, but instead thereof, complaints shall be made, by the party injured, to the superintendent or agent of Indian affairs, or other person appointed by the president; and it shall be the duty of said chiefs, upon complaint being made as aforesaid, to deliver up the person or persons against whom the complaint is made, to the end that he or they may be punished agreeably to the laws of the United States. And, in like manner, if any robbery, violence, or murder, shall be committed on any Indian or Indians belonging to said tribe, the person or persons so offending shall be tried, and if found guilty shall be punished in like manner as if the injury had been done to a white man. And it is agreed, that the chiefs of said Maha tribe shall, to the utmost of their power, exert themselves to recover horses or other property, which may be stolen or taken from any citizen or citizens of the United States, by any individual or individuals of said tribe; and the property so recovered shall be forthwith delivered to the agents or other person authorized to receive it, that it may be restored to the proper owner. And the United States hereby guarantee to any Indian or Indians of said tribe, a full indemnification for any horses or other property which may be stolen from them by any of their citizens: provided, that the property stolen cannot be recovered, and that sufficient proof is produced that it was actually stolen by a citizen of the United States. And the said Maha tribe engage, on the requisition or demand of the president of the United States, or of the agents, to deliver up any white man resident among them.

No private revenge to be taken for injuries, &c.

Property stolen from citizens to be delivered up.

Indemnification guaranteed to the Indians for property stolen from them.

Art. 6. And the chiefs and warriors, as aforesaid, promise and engage, that their tribe will never, by sale, exchange, or as presents, supply any nation, tribe, or band of Indians, not in amity with the United States, with guns, ammunition, or other implements of war.

Indians hostile to the U. S. not to be supplied with guns, &c.

Done at fort Atkinson, Council Bluffs, this 6th day of October, A. D. 1825, and of the independence of the United States the fiftieth.

In testimony whereof, the said commissioners, Henry Atkinson and Benjamin O'Fallon, and the chiefs, head men, and warriors of the Maha tribe, have hereunto set their hands, and affixed their seals.

H. Atkinson, <i>br. gen. U. S. army,</i>	
Benj. O'Fallon, <i>U. S. agt. Ind. aff.</i>	
Opa-ton-ga, the Big Elk,	x
Oho-shin-ga, the Man that cooks little in a small kettle,	x
Wash-ca-ma-nee, the Fast Walker,	x
Shon-gis-cah, the White Horse,	x
We-du gue-noh, the Deliberator,	x
Wa-shing-ga-sabba, the Black Bird,	x
Ta-noh-ga, the Buffalo Bull,	x
Esh-sta-ra-ba, ———,	x
Ta-rect-tee, the side of a Buffalo,	x
Sa-da-ma-ne, He that arrives,	x
Noh-pe-ma-nee, the Walking Cloud,	x
Momee-shee, He who lays on the arrows from the number that pierce him,	x
Ma-sha-ke-ta, the Soldier,	x
Te-sha-va-gran, the Door of the Lodge.	x

In presence of

A. J. Loughnan, *secretary to the commission,*
 A. R. Woolley, *lieut. col. U. S. A.*
 J. Gantt, *capt. 6th inf.*
 John Gale, *surgeon U. S. army,*
 George C. Hutter, *lieut. 6th inf.*
 M. W. Batman, *lieut. 6th inf.*
 G. H. Kennerly, *U. S. S. Ind. agt.*
 Michael Burdeau, his x mark, *interpreter,*
 William Rodgers.

CHAPTER XX.

Treaties with the Ioways.

Treaty with
the Ioways.

No. 1. A treaty of peace and friendship made and concluded between William Clark, Ninian Edwards, and Auguste Chouteau, commissioners plenipotentiary of the United States of America on the part and behalf of the said states, of the one part; and the undersigned king, chiefs, and warriors, of the Ioway tribe or nation, on the part and behalf of the said tribe or nation, of the other part.

Parties desirous of re-establishing peace.

The parties being desirous of re-establishing peace and friendship between the United States, and the said tribe or nation, and of being placed in all things and in every respect on the same footing upon which they stood before the war, have agreed to the following articles:

Injuries to be mutually forgiven.

Art. 1. Every injury or act of hostility by one or either of the contracting parties against the other shall be mutually forgiven and forgot.

Perpetual peace, &c.

Art. 2. There shall be perpetual peace and friendship between all the citizens of the United States and all the individuals composing the said Ioway tribe or nation.

Art. 3. The contracting parties do hereby agree, promise, and oblige themselves reciprocally, to deliver up all the prisoners now in their hands, (by what means soever the same may have come into their possession,) to the officer commanding at St. Louis, to be by him restored to their respective nations, as soon as it may be practicable. Prisoners to be delivered up.

Art. 4. The contracting parties, in the sincerity of mutual friendship, recognize, re-establish, and confirm, all and every treaty, contract, and agreement, heretofore concluded between the United States and the said Ioway tribe or nation. Former treaties confirmed, &c.

In witness whereof, the said William Clark, Ninian Edwards, and Auguste Chouteau, commissioners as aforesaid, and the aforesaid king, chiefs, and warriors, have hereunto subscribed their names and affixed their seals, this sixteenth day of September, in the year of our Lord one thousand, eight hundred and fifteen, and of the independence of the United States the fortieth.

William Clark,
Ninian Edwards,
Auguste Chouteau,
Wyingwaha, or hard heart, his x mark,
Wongchechronyne, or big chief, his x mark,
Wonehee, or the slave, his x mark,
Hahraga, the forked horn, his x mark,
Eniswahance, the big axe, his x mark,
Washcommance, the great marcher, his x mark,
Wyimpishcoonce, the ill-humoured man, his x mark,
Ranoingga, the little pipe, his x mark,
Wohouppce, the broth, his x mark,
Shongaiong, the horse jockey, his x mark,
Nahocheimungga, without ears, his x mark,
Conja, the plumb, his x mark,
Chahowhrowpa, the dew-lap, his x mark,
Manuhau, the great walker, his x mark,
Chapee, the pine buffaloe, his x mark,
Okugwata, the roller, his x mark,
Ishtagrasa, grey eyes, his x mark.

Done at Portage des Sioux, in the presence of

R. Wash, *secretary to the commission*,
Dl. Bissel, *brig. gen.*
R. Paul, *C. C. T.*
Samuel Brady, *lieut.*
Geo. Fisher, *surgeon, Illinois regt.*
P. Chouteau, *agent*,
Jno. W. Johnson, *U. S. factor and Indian agent*,
Samuel Solomon, *interpreter*,
Maurice Blondeaux,
Louis Dorion,
Dennis Julien,
Jas. M'Culloch, *capt.*

* This appears to be the first treaty concluded with this tribe of Indians under the name of *Ioways*.

Treaty with
the Ioways.

No. 2. Articles of a treaty made and concluded at the city of Washington, on the fourth day of August, one thousand eight hundred and twenty-four, between William Clark, superintendent of Indian affairs, being specially authorized by the President of the United States thereto, and the undersigned chiefs and head men, of the Ioway tribe or nation, duly authorized and empowered by the said nation.

Lands ceded
to the U.
States.

Art. 1. The Ioway tribe or nation of Indians, by their deputies, Mah-hos-kah, (or White Cloud,) and Mah-ne-hah-nah, (or Great Walker,) in council assembled, do hereby agree, in consideration of a certain sum of money, &c. to be paid to the said Ioway tribe, by the government of the United States, as hereinafter stipulated, to cede and forever, quit claim, and do, in behalf of their said tribe, hereby cede, relinquish, and forever quit claim, unto the United States, all right, title, interest, and claim, to the lands which the said Ioway tribe have, or claim, within the state of Missouri, and situated between the Mississippi and Missouri rivers and a line running from the Missouri, at the mouth or entrance of Kansas river, north one hundred miles, to the northwest corner of the limits of the state of Missouri, and, from thence, east to the Mississippi.

\$500 to be
paid them.

Art. 2. It is hereby stipulated and agreed, on the part of the United States, as a full compensation for the claims and lands ceded by the Ioway tribe in the preceding article, there shall be paid to the said Ioway tribe, within the present year, in cash or merchandise, the amount of five hundred dollars, and the United States do further agree to pay to the Ioway tribe, five hundred dollars, annually, for the term of ten succeeding years.

Acknowledg-
ments of said
Indians.

Art. 3. The chiefs and head men who sign this treaty, for themselves, and in behalf of their tribe, do acknowledge that the lands east and south of the lines described in the first article, (which has been run and marked by Colonel Sullivan,) so far as the Indians claimed the same, to belong to the United States, and that none of their tribe shall be permitted to settle or hunt upon any part of it, after 1st day of January, one thousand eight hundred and twenty-six, without special permission from the superintendent of Indian affairs.

Declare them-
selves under
the protection
of the United
States.

Art. 4. The undersigned chiefs, for themselves, and all parts of the Ioway tribe, do acknowledge themselves and the said Ioway tribe, to be under the protection of the United States of America, and of no other sovereign whatsoever; and they also stipulate, that the said Ioway tribe will not hold any treaty with any foreign powers, individual state, or with individuals of any state.

Assistance to
be rendered
them.

Art. 5. The United States engage to provide and support a blacksmith for the Ioway tribe, so long as the president of the United States may think proper, and to furnish the said tribe with such farming utensils and cattle, and to employ such

persons to aid them in their agriculture, as the president may deem expedient.

Art. 6. The annuities stipulated to be paid by the second article, to be paid either in money, merchandise, provisions, or domestic animals, at the option of the aforesaid tribe; and when the said annuities, or any part thereof, is paid in merchandise, it is to be delivered to them at the first cost of the goods at St. Louis, free from cost of transportation. Payment of annuities.

Art. 7. This treaty shall take effect, and be obligatory on the contracting parties, so soon as the same shall be ratified by the president of the United States, by and with the advice and consent of the senate thereof. To take effect when ratified.

In testimony whereof, the said William Clark, commissioner as aforesaid, and the chiefs and head men of the Ioway tribe of Indians, as aforesaid, have hereunto set their hands the day and year first before written.

Wm. Clark,	l. s.
Ma-hos-kah, (White Cloud,) his x mark,	l. s.
Mah-ne-hah-nah, (Great Walker,) his x mark,	l. s.

Witnesses present :

Thos. L. McKenney,
G. W. Kennerly, *Indian agent*,
Law. Taliaferro, *Indian agent at St. Peter's*,
A. Baronet Vasques, *Act. sub agt. and interpreter*,
Meriwether Lewis Clark,
John W. Johnson,
William P. Clark,
William Radford.

CHAPTER XXI.

Treaties with the Kansas.

No. 1. A treaty of peace and friendship made and concluded between Ninian Edwards and Auguste Chouteau, commissioners plenipotentiary of the United States of America, on the part and behalf of the said states, of the one part; and the undersigned chiefs and warriors of the Kansas tribe of Indians, on the part and behalf of their said tribe, of the other part. Treaty with the Kansas.

The parties being desirous of re-establishing peace and friendship between the United States and their said tribe, and of being placed, in all things, and in every respect, upon the same footing upon which they stood before the late war between the United States and Great Britain, have agreed to the following articles: Parties desirous of re-establishing peace.

Art. 1. Every injury or act of hostility by one or either of the contracting parties against the other shall be mutually forgiven and forgot. Injuries to be mutually forgiven.

perpetual
peace, &c.

Art. 2. There shall be perpetual peace and friendship between all the citizens of the United States of America, and all the individuals composing the said Kansas tribe, and all the friendly relations that existed between them before the war, shall be, and the same are hereby renewed.

Protection of
U. S. ac-
knowledge.

Art. 3. The undersigned chiefs and warriors for themselves and their said tribe, do hereby acknowledge themselves to be under the protection of the United States of America, and of no other nation, power or sovereign whatsoever.

In witness whereof, the said Ninian Edwards and Auguste Chouteau, commissioners as aforesaid, and the chiefs aforesaid, have hereunto subscribed their names and affixed their seals, this twenty-eighth day of October, in the year of our Lord one thousand eight hundred and fifteen, and of the independence of the United States the fortieth.

Ninian Edwards,
Auguste Chouteau,
Cayezettanzaw, or the big chief, his x mark,
Needapy, his x mark,
Hazeware, or the buck clk running after the doe,
his x mark,
Wahanzasby, or the endless, his x mark,
Cayebasneenzaw, or the little chief, his x mark,
Manshenscaw, or the white plume, his x mark,
Cayegettsazesheengaw, or the old chief, his x mark,
Mocupamawny, or the walking cloud, his x mark,
Washanzare, his x mark,
Ezashabe, his x mark,
Kachamony, or the floating down stream, his x mark,
Opasheeza, his x mark,
Karahsheenzaw, or the little crow, his x mark,
Metanezaw, or the foolish robe, his x mark,
Wehurasudze, or the Red Eagle, his x mark,
Necolebran, or he who can smell a man, his x mark,
Mannanedze, his x mark,
Watankezaw, his x mark,
Taritchu, or the cow's rib.

Done at St. Louis, in presence of

R. Wash, *secretary to the commission*,
R. Paul, *C. T. of the C.*
Ja. Kennerly, *C. I. dept.*
Christian Witt,
Gabriel S. Chouteau, *ensign M. M.*
G. H. Kennerly,
Thomas Forsyth, *I. agent*,
Taylor Berry,
Antoine Barada, } *interpreters.*
Paul Desjardins, }

Treaty with
the Kansas.

Art. 2. Articles of a treaty, made and concluded at the city of Saint Louis, in the state of Missouri, between William Clark, superintendent of Indian affairs, commissioner on the part of the United States of America, and the undersigned chiefs, head men, and warriors of the Kansas nation of Indians, duly authorized and empowered by said nation.

Lands ceded
to the U. S.

Art. 1. The Kansas do hereby cede to the United States all the lands lying within the state of Missouri, to which the

said nation have title or claim ; and do further cede and relinquish, to the said United States, all other lands which they now occupy, or to which they have title or claim, lying west of the said state of Missouri, and within the following boundaries : beginning at the entrance of the Kansas river into the Missouri river ; from thence north to the north-west corner of the state of Missouri ; from thence westwardly to the Nodewa river, thirty miles from its entrance into the Missouri ; from thence to the entrance of the big Nemahaw river into the Missouri, and with that river to its source ; from thence to the source of the Kansas river, leaving the old village of the Pania Republic to the west ; from thence, on the ridge dividing the waters of the Kansas river from those of the Arkansas, to the western boundary of the state line of Missouri, and with that line, thirty miles, to the place of beginning.

Art. 2. From the cession aforesaid, the following reservation for the use of the Kansas nation of Indians shall be made, of a tract of land, to begin twenty leagues up the Kansas river, and to include their village on that river ; extending west thirty miles in width, through the lands ceded in the first article, to be surveyed and marked under the direction of the president, and to such extent as he may deem necessary, and at the expense of the United States. The agents for the Kansas, and the persons attached to the agency, and such teachers and instructors as the president shall authorize to reside near the Kansas, shall occupy, during his pleasure, such lands as may be necessary for them within this reservation.

Reservation
for the use of
the Kansas.

Persons to be
attached to the
agency to oc-
cupy lands,
&c.

Art. 3. In consideration of the cession of land and relinquishments of claims, made in the first article, the United States agree to pay to the Kansas nation of Indians, three thousand five hundred dollars per annum, for twenty successive years, at their villages, or at the entrance of the Kansas river, either in money, merchandise, provisions, or domestic animals, at the option of the aforesaid nation ; and when the said annuities, or any part thereof is paid in merchandise, it shall be delivered to them at the first cost of the goods in Saint Louis, free of transportation.

Annuity of
\$3,500 to be
paid to the
Kansas.

Art. 4. The United States, immediately upon the ratification of this convention, or as soon thereafter as may be, shall cause to be furnished to the Kansas nation, three hundred head of cattle, three hundred hogs, five hundred domestic fowls, three yoke of oxen, and two carts, with such implements of agriculture as the superintendent of Indian affairs may think necessary ; and shall employ such persons to aid and instruct them in their agriculture, as the president of the United States may deem expedient ; and shall provide and support a blacksmith for them.

Cattle, hogs,
&c. to be de-
livered to the
Kansas; and
persons to
teach agricul-
ture to be em-
ployed.

Art. 5. Out of the lands herein ceded by the Kansas nation to the United States, the commissioner aforesaid, in be-

36 sections of
land reserved
to raise a
school fund.

half of the said United States, doth further covenant and agree, that thirty-six sections of good land, on the Big Blue river, shall be laid out under the direction of the president of the United States, and sold for the purpose of raising a fund, to be applied, under the direction of the president, to the support of schools for the education of the Kansas children, within their nation.

Reservations
in favor of half
breeds.

Art. 6. From the lands above ceded to the United States, there shall be made the following reservations, of one mile square, for each of the half-breeds of the Kansas nation, viz: For Adel and Clement, the two children of Clement; for Josselte, Julie, Pelagie, and Victoire, the four children of Louis Gonvil; for Marie and Lafleche, the two children of Baptiste Gonvil; for Laventure, the son of Francis Laventure; for Elizabeth and Pierre Carbonau, the children of Pierre Brisa; for Louis Joncas; for Basil Joncas; for James Joncas; for Elizabeth Datcherute, daughter of Baptiste Datcherute; for Joseph Buler; for William Rodgers; for Joseph Cote; for the four children of Cicili Compare, each one mile square; and one for Joseph James, to be located on the north side of the Kansas river, in the order above named, commencing at the line of the Kansas reservation, and extending down the Kansas river for quantity.

Citizens to be
paid for prop-
erty destroy-
ed.

Art. 7. With the view of quieting all animosities which may at present exist between a part of the white citizens of Missouri and the Kansas nation, in consequence of the lawless depredations of the latter, the United States do further agree to pay to their own citizens, the full value of such property as they can legally prove to have been stolen or destroyed since the year 1815. Provided, the sum so to be paid by the United States shall not exceed the sum of three thousand dollars.

Francis G.
Chouteau to
be paid for
credits given
by him to the
Kansas.

Art. 8. And whereas the Kansas are indebted to Francis G. Chouteau, for credits given them in trade, which they are unable to pay, and which they have particularly requested to have included and settled in the present treaty; it is, therefore, agreed on, by and between the parties to these presents, that the sum of five hundred dollars, towards the liquidation of said debt, shall be paid by the United States to the said Francis G. Chouteau.

\$1,000 in
merchandise
and horses to
be paid to the
Kansas.

Art. 9. There shall be selected at this place such merchandise as may be desired, amounting to two thousand dollars, to be delivered at the Kansas river, with as little delay as possible; and there shall be paid to the deputation now here, two thousand dollars in merchandise and horses, the receipt of which is hereby acknowledged; which, together with the amount agreed on in the 3d and 4th articles, and the provisions made in the other articles of this treaty, shall be considered as a full compensation for the cession herein made.

Art. 10. Lest the friendship which is now established between the United States and the said Indian nation should be interrupted by the misconduct of individuals, it is hereby agreed, that for injuries done by individuals, no private revenge or retaliation shall take place, but instead thereof, complaints shall be made by the party injured, to the other by the said nation, to the superintendent, or other person appointed by the president to the chiefs of said nation. And it shall be the duty of the said chiefs, upon complaints being made as aforesaid, to deliver up the person or persons against whom the complaint is made, to the end that he or they may be punished, agreeably to the laws of the state or territory where the offence may have been committed; and in like manner, if any robbery, violence, or murder, shall be committed on any Indian or Indians belonging to said nation, the person or persons so offending shall be tried, and, if found guilty, shall be punished in like manner as if the injury had been done to a white man. And it is agreed, that the chiefs of the Kansas shall, to the utmost of their power, exert themselves to recover horses or other property which may be stolen from any citizen or citizens of the United States, by any individual or individuals of the nation; and the property so recovered shall be forthwith delivered to the superintendent, or other person authorized to receive it, that it may be restored to its proper owner; and in cases where the exertions of the chiefs shall be ineffectual in recovering the property stolen as aforesaid, if sufficient proof can be adduced that such property was actually stolen, by any Indian or Indians belonging to the said nation, the superintendent or other officer may deduct from the annuity of the said nation a sum equal to the value of the property which has been stolen. And the United States hereby guarantee, to any Indian or Indians, a full indemnification for any horses or other property which may be stolen from them by any of their citizens: Provided, that the property so stolen cannot be recovered, and that sufficient proof is produced that it was actually stolen by a citizen of the United States. And the said nation of Kansas engage, on the requisition or demand of the president of the United States, or of the superintendent, to deliver up any white man resident amongst them.

No private revenge to be taken, &c.

Persons offending to be delivered up.

Stolen horses or other property to be restored.

Indemnification for property stolen from Indians.

Kansas to deliver up white men.

Art. 11. It is further agreed on, by and between the parties to these presents, that the United States shall forever enjoy the right to navigate freely all water-courses or navigable streams within the limits of the tract of country herein reserved to the Kansas nation; and that the said Kansas nation shall never sell, relinquish, or in any manner dispose of the lands herein reserved, to any other nation, person or persons whatever, without the permission of the United States for that purpose first had and obtained. And shall ever remain under the protection of the United States, and in friendship with them.

Free navigation.

Kansas not to dispose of their lands; and to be under the protection of the U. States

Treaty to take
effect when
ratified.

Art. 12. The treaty shall take effect, and be obligatory on the contracting parties, as soon as the same shall be ratified by the president, by and with the consent and advice of the senate of the United States.

In testimony whereof, the said William Clark, commissioner as aforesaid, and the deputation, chiefs, head men, and warriors of the Kansas nation of Indians, as aforesaid, have hereunto set their hands and seals, this third day of June, in the year of our Lord eighteen hundred and twenty-five, and of the independence of the United States of America the forty-ninth year.

William Clark,
Nom-pa-wa-zah, or the White Plume, his x mark,
Ky-he-ga-wa-ti-nin-ka, his x mark, or the Full Chief,
Ky-he-ga-wa-che-he, his x mark, or the Chief of great valor,
Ky-he-ga-shin-ga, his x mark, or the Little Chief,
Ke-ba-ra-hu, his x mark,
Me-chu-chin-ga, his x mark, or the Little White Bear,
Hu-ru-ah-te, his x mark, or the Real Eagle,
Ca-shc-se-gra, his x mark, or the track that sees far,
Wa-can-da-ga-tun-ga, his x mark, or the Great Doctor,
O-pa-she-ga, his x mark, or the Cooper,
Cha-ho-nush, his x mark,
Ma-he-ton-ga, his x mark, or the American.

Witnesses present :

R. Wash, *secretary*,
W. B. Alexander, *sub Indian agent*,
John F. A. Sanford,
G. C. Sibley, *United States' commissioner*,
Baronet Vasquez, *United States' S. agent*,
Rus-el Farnham,
Jno. K. Walker,
Jno. Simonds, Jr.
Sanderson Robert,
L. T. Honore, *U. S. Insptr.*
William Milburn,
Baptis Ducherut, *interpreter for Kansas*,
Paul Louise, his x mark, *Osage interpreter*,
Noel Dashmay, *interpreter*,
Ant. Le Claire, *interpreter*.

CHAPTER XXII.

Treaty with the Winnebagoes.

Treaty with
the Winneba-
goes.

No. 1. A treaty of peace and friendship made and concluded between William Clark, Ninian Edwards, and Auguste Chouteau, commissioners plenipotentiary of the United States of America, on the part and behalf of the said states, of the one part, and the undersigned chiefs and warriors of that portion of the Winnebago tribe or nation residing on the Ouisconsin river, of the other part.

Winnebagoes
on the Ouis-

Whereas the undersigned chiefs and warriors, as well as that portion of the nation which they represent, have sepa-

rated themselves from the rest of their nation, and reside in a village on the Ouisconsin river, and are desirous of returning to a state of friendly relations with the United States, the parties hereto have agreed to the following articles:

consin desirous of returning to friendly relations with the U. S.

Art. 1. Every injury or act of hostility, committed by one or either of the contracting parties against the other, shall be mutually forgiven and forgot; and all the friendly relations that existed between them before the late war, shall be, and the same are hereby, renewed.

Injuries to be mutually forgiven: and friendly relations restored.

Art. 2. The undersigned chiefs and warriors, for themselves and those they represent, do, by these presents, confirm to the United States all and every cession of land heretofore made by their nation to the British, French, or Spanish government, within the limits of the United States, or their territories; and also, all and every treaty, contract, and agreement, heretofore concluded between the United States and the said tribe or nation, as far as their interest in the same extends.

Former cessions of land, and former treaties confirmed.

Art. 3. The undersigned chiefs and warriors as aforesaid, for themselves and those they represent, do hereby acknowledge themselves to be under the protection of the United States, and of no other nation, power, or sovereign, whatsoever.

Protection of the U. States acknowledged.

Art. 4. The aforesaid chiefs and warriors, for themselves and those they represent, do further promise to remain distinct and separate from the rest of their tribe or nation, giving them no aid or assistance whatever, until peace shall also be concluded between the United States and the said tribe or nation.

Promise to remain distinct from the rest of their tribe.

Art. 5. The contracting parties do hereby agree, promise, and oblige themselves, reciprocally, to deliver up all prisoners now in their hands (by what means soever the same may have come into their possession) to the officer commanding at Prairie du Chien, to be by him restored to the respective parties hereto, as soon as it may be practicable.

Prisoners to be delivered up.

In witness whereof, the commissioners aforesaid, and the undersigned chiefs and warriors as aforesaid, have hereunto subscribed their names, and affixed their seals, this third day of June, in the year of our Lord one thousand eight hundred and sixteen, and of the independence of the United States the fortieth.

Wm. Clark,
Ninian Edwards,
Aug. Chouteau,
Choukeka, or Dekare, the spoon, his x mark,
Onunaka, or Karamanu, his x mark,
Achahouska, the White Sky, his x mark,
Chienapinka, the Good House, his x mark,
Makamka, the Earth, his x mark,
Wechoka, the Green Feather, his x mark,
Shoukpar, the Dog, his x mark,
Nekousaa, the Main Channel, his x mark,

Wapanoneker, the Bear, his x mark,
Opwarchickwaka, the Rain, his x mark,
Chepurganika, the Little Buffalo Head, his x mark,

Done at St. Louis, in the presence of

R. Wash, *secretary to the commission*,
R. Paul, *C. T. of the C.*
Wm. O. Allen, *captain U. S. corps of artillery*,
N. Boilvin, *agent*,
Thomas Forsyth, *I. agent*,
Maurice Blondeaux, *I. agent*,
Henry Delorier, *interpreter*,
Pierre Lapointe, *interpreter*,
Baptiste Pereault, *interpreter*,
Samuel Solomon, *interpreter*,
Jacques Mette, *interpreter*.

[This appears to be the first treaty to which the Winnebagoes are, under that name, parties. The name of one "Winnebago from Mackinac" appears to the treaty of Springwells, 8th September, 1815, (ante, chap. 3, No. 13,) purporting to be a treaty with the Wyandot, Delaware, Seneca, Shawanoe, Miami, Chippewa, Ottawa, and Potawatamie tribes of Indians, residing within the limits of the state of Ohio, and the territories of Indiana and Michigan, and if the Winnebagoes were parties to that treaty, this is the only indication of it.]

CHAPTER XXIII.

Treaty with the Menomenees.

Treaty with
the Menome-
nees.

No. 1. A treaty of peace and friendship made and concluded by and between William Clark, Ninian Edwards, and Auguste Chouteau, commissioners on the part and behalf of the United States of America, of the one part, and the undersigned chiefs and warriors, deputed by the Menomenee tribe or nation of Indians, on the part and behalf of their said tribe or nation, of the other part.

Parties desir-
ous of re-es-
tablishing
peace and
friendship.

The parties, being desirous of re-establishing peace and friendship between the United States and the said tribe or nation, and of being placed in all things, and in every respect, on the same footing upon which they stood before the late war, have agreed to the following articles:

Injuries, &c.
forgiven and
forgot.

Art. 1. Every injury, or act of hostility, by one or either of the contracting parties, against the other, shall be mutually forgiven and forgot.

Perpetual
peace, &c.

Art. 2. There shall be perpetual peace and friendship between all the citizens of the United States and all the individuals composing the said Menomenee tribe or nation.

Former ces-
sions of land
and former
treaties con-
firmed.

Art. 3. The undersigned chiefs and warriors, on the part and behalf of their said tribe or nation, do, by these presents, confirm to the United States all and every cession of land heretofore made by their tribe or nation to the British, French, or Spanish, government, within the limits of the United States, or their territories; and also, all and every treaty, contract, and

agreement, heretofore concluded between the said United States and the said tribe or nation.

Art. 4. The contracting parties do hereby agree, promise, and oblige themselves, reciprocally, to deliver up all prisoners now in their hands, (by what means soever the same may have come into their possession,) to the officer commanding at Prairie du Chien, to be by him restored to the respective parties hereto, as soon as it may be practicable. All prisoners to be delivered up.

Art. 5. The undersigned chiefs and warriors as aforesaid, for themselves and those they represent, do hereby acknowledge themselves to be under the protection of the United States, and of no other nation, power, or sovereign, whatsoever. The tribe under the protection of the United States.

In witness whereof, the commissioners aforesaid, and the undersigned chiefs and warriors, as aforesaid, have hereunto subscribed their names and affixed their seals, this thirtieth day of March, in the year of our Lord one thousand eight hundred and seventeen, and of the independence of the United States the forty-first.

William Clark,
Ninian Edwards,
Auguste Chouteau,
Towanapee, Roaring Thunder, his x mark,
Weekay, the Calumet Eagle, his x mark,
Muequomota, the Fat of the Bear, his x mark,
Wacaquon, or Shomin, his x mark,
Warbano, the Dawn, his x mark,
Inemikee, Thunderer, his x mark,
Lebarnaco, the Bear, his x mark,
Karkundego, his x mark,
Shashamance, the Elk, his x mark,
Penoname, the Running Wolf, his x mark.

Done at St. Louis, in the presence of

R. Wash, *secretary to the commissioners,*
R. Graham, *U. S. I. A. for Illinois territory,*
T. Harrison,
Nimrod H. Moore,
S. Gantt, *lieut. U. S. army,*
C. M. Price,
Richard T. McKenney,
Amos Kibbe,
Nathaniel Mills,
Samuel Solomon.

[This appears to be the first treaty to which the Menomenees are parties, under that name; and if they were parties to any previous treaties, there is nothing which indicates them.]

CHAPTER XXIV.

Treaties with the Ottos.

Treaty with
the Ottos.

No. 1. A treaty of peace and friendship made and concluded between William Clark and Auguste Chouteau, commissioners on the part and behalf of the United States of America, of the one part, and the undersigned chiefs and warriors, of the Ottos tribe of Indians, on the part and behalf of their said tribe, of the other part.

Parties desir-
ous of re-es-
tablishing
peace and
friendship.

The parties being desirous of re-establishing peace and friendship between the United States and their said tribe, and of being placed, in all things, and in every respect, upon the same footing upon which they stood before the late war between the United States and Great Britain, have agreed to the following articles:

Injuries, &c.
forgiven and
forgot.

Art. 1. Every injury or act of hostility by one or either of the contracting parties against the other, shall be mutually forgiven and forgot.

Perpetual
peace, &c.

Art. 2 There shall be perpetual peace and friendship between all the citizens of the United States of America and all the individuals composing the said Ottos tribe, and all the friendly relations that existed between them before the war, shall be, and the same are hereby renewed.

The tribe un-
der the pro-
tection of the
United States.

Art. 3. The undersigned chiefs and warriors, for themselves and their said tribe, do hereby acknowledge themselves to be under the protection of the United States of America, and of no other nation, power, or sovereign, whatsoever.

In witness whereof, the said William Clark and Auguste Chouteau, commissioners as aforesaid, and the chiefs aforesaid, have hereunto subscribed their names and affixed their seals, this twenty-fourth day of June, in the year of our Lord one thousand eight hundred and seventeen, and of the independence of the United States the forty-first.

William Clark,
Auguste Chouteau.

OTTOES.

Chongatonga, Big Horse, his x mark,
Histashone, Big Eyes, his x mark,
Mihahande, Eldest Daughter, his x mark,
Kansepa, the Kansee Head, his x mark,
Montistonga, Pewter, his x mark,
Pahagranga, Auguste, his x mark,
Watokieka, the Runner, his x mark,
Mantoeakiepa, Meeting of Bear, his x mark,
Achieya, Broken Arm, his x mark,
Wathapayignet, the Small Bear, his x mark,
Mantoeignet, the Little Bow, his x mark,
Wapotraska, White Nostrils, his x mark.

MISSOURIES.

Tarposta, Son of the Priest, his x mark,
Kahhehpah, Crow Head, his x mark,

Harahkraton, the Sparrow Hawk, his x mark,
Tawequa, the Little Deer, his x mark,
Chanohato, Buffalo Hump, his x mark.

Witnesses present :

Lewis Bissell, *acting secretary*,
Manuel Lisa, *U. S. Ind. ag.*
Benjamin O. Fallon, *U. S. Indian agent*,
W. Suigely,
Geo. G. Taylor,
W. Tharp,
Michl. E. Immell,
P. J. Nalsisor,
Sam. Solomon, *Interpreter*,
Stephen Julien, *U. S. Indian interpreter*,
Gabriel S. Chouteau, *2d Lieut. M. M.*
Joseph Lafleche, *interpreter*, his x mark.

No. 2. For the purpose of perpetuating the friendship which has heretofore existed, as also to remove all future cause of discussion or dissension, as it respects trade and friendship between the United States and their citizens, and the Ottoe and Missouri tribe of Indians, the president of the United States of America, by brigadier-general Henry Atkinson, of the United States' army, and major Benjamin O'Fallon, Indian agent, with full powers and authority, specially appointed and commissioned for that purpose, of the one part, and the undersigned chiefs, head men, and warriors, of the said Ottoe and Missouri tribe of Indians, on behalf of their tribe, of the other part, have made and entered into the following articles and conditions, which, when ratified by the president of the United States, by and with the advice and consent of the senate, shall be binding on both parties—to wit:

Art. 1. It is admitted by the Ottoe and Missouri tribe of Indians, that they reside within the territorial limits of the United States, acknowledge their supremacy, and claim their protection. The said tribe also admit the right of the United States to regulate all trade and intercourse with them.

Art. 2. The United States agree to receive the Ottoe and Missouri tribe of Indians into their friendship, and under their protection, and to extend to them, from time to time, such benefits and acts of kindness as may be convenient, and seem just and proper to the president of the United States.

Art. 3. All trade and intercourse with the Ottoe and Missouri tribe shall be transacted at such place or places as may be designated and pointed out by the president of the United States, through his agents; and none but American citizens, duly authorized by the United States, shall be admitted to trade or hold intercourse with said tribe of Indians.

Art. 4. That the Ottoe and Missouri tribe may be accommodated with such articles of merchandise, &c. as their necessities may demand, the United States agree to admit and license traders to hold intercourse with said tribe, under mild and equitable regulations: in consideration of which, the said Ottoe and Missouri tribe bind themselves to extend protection to the persons and the property of the traders, and the persons legally

Admit themselves to be within the limits of the U. S. and under their protection. U. S. to regulate trade.

U. States extend friendship and protection.

Trade to be carried on at places to be designated by the president.

Licensed traders to be admitted, and protection to be afforded to them by the Ottos.

Foreigners
and others not
authorized,
excluded from
their country.

Agents and
others sent by
U. States to
be protected.

Citizens trad-
ing to New
Mexico not to
be molested.

Private re-
venge for in-
juries prohib-
ited.

Mode of pro-
ceeding in case
of injury done
to either party.

Property stol-
en from citi-
zens to be
restored.

Indemnity to
the Indians
guaranteed for
property stol-
en from them.

White men to
be delivered
up.

employed under them, whilst they remain within the limits of their particular district of country. And the said Ottos and Missouri tribe further agree, that if any foreigner or other person, not legally authorized by the United States, shall come into their district of country, for the purposes of trade or other views, they will apprehend such person or persons, and deliver him or them to some United States' superintendent, or agent of Indian affairs, or to the commandant of the nearest military post, to be dealt with according to law.—And they further agree to give safe conduct to all persons who may be legally authorized by the United States to pass through their country; and to protect, in their persons and property, all agents or other persons sent by the United States to reside temporarily among them; nor will they, whilst on their distant excursions, molest or interrupt any American citizen or citizens who may be passing from the United States to New Mexico, or returning from thence to the United States.

Art. 5. That the friendship which is now established between the United States and the Ottos and Missouri tribe should not be interrupted by the misconduct of individuals, it is hereby agreed, that for injuries done by individuals, no private revenge or retaliation shall take place, but instead thereof, complaints shall be made, by the party injured, to the superintendent or agent of Indian affairs, or other person appointed by the president; and it shall be the duty of said chiefs, upon complaint being made as aforesaid, to deliver up the person or persons against whom the complaint is made, to the end that he or they may be punished agreeably to the laws of the United States. And, in like manner, if any robbery, violence, or murder, shall be committed on any Indian or Indians belonging to said tribe, the person or persons so offending shall be tried, and if found guilty shall be punished in like manner as if the injury had been done to a white man. And it is agreed, that the chiefs of said Ottos and Missouri tribe shall, to the utmost of their power, exert themselves to recover horses or other property, which may be stolen or taken from any citizen or citizens of the United States, by any individual or individuals of said tribe; and the property so recovered shall be forthwith delivered to the agents or other person authorized to receive it, that it may be restored to the proper owner. And the United States hereby guarantee to any Indian or Indians of said tribe, a full indemnification for any horses or other property which may be stolen from them by any of their citizens: provided, that the property stolen cannot be recovered, and that sufficient proof is produced that it was actually stolen by a citizen of the United States. And the said Ottos and Missouri tribe engage, on the requisition or demand of the president of the United States, or of the agents, to deliver up any white man resident among them.

Art. 6. And the chiefs and warriors, as aforesaid, promise and engage, that their tribe will never, by sale, exchange, or as presents, supply any nation, tribe, or band of Indians, not in amity with the United States, with guns, ammunition, or other implements of war. Indians hostile to U. States not be supplied with implements of war.

Done at fort Atkinson, Council Bluffs, this 26th day of September, A. D. 1825, and of the independence of the United States the fiftieth.

In testimony whereof, the said commissioners, Henry Atkinson and Benjamin O'Fallon, and the chiefs, head men, and warriors, of the Ottoe and Missouri tribe, have hereto set their hands, and affixed their seals.

H. Atkinson, br. gen. U. S. Army,	
Benj. O'Fallon, U. S. agt. Ind. aff.	
Ish-na-wong-ge-ge-he, the only Chief,	x
Mc-ha-hun-jah, the Big Female,	x
Shunk-co-pe,	x
Sho-mon-e-ka-sa, the Prairie Wolf,	x
Wong-ge-ge-he, the Chief,	x
Waw-zob-e-ing-ge, the Little Black Bear,	x
Eho-che-nung-a, the Mad Man,	x
E-ke-shaw-mon-ne, the Walking Bear,	x
Waw-ne-sung-e, the one who bears down,	x
Waw-ro-ne-sa, the Bullet,	x
Wa-do-ke-ga,	x
Waw-paw-si-ac,	x
Taw-ing-ee, the Little Deer,	x
Gray-tan-in-ca, the Sparrow Hawk,	x
Raw-no-way-braw, the Broken Pipe,	x
Non-jah-ning-e, the No Heart,	x
Mon-to-ing-ge, the Little White Bear,	x
Mosk-ca-gaw-ha,	x

In presence of

A. L. Langham, *secretary to the commission,*
 A. R. Wolley, *lieut. col. U. S. A.*
 B. Riley, *captain 6th inf.*
 J. Gantt, *captain 6th inf.*
 John Gale, *surgeon U. S. army,*
 Wm. N. Wickliffe, *lieut. U. S. A.*
 G. W. Folger, *lieut. 6th U. S. inf.*
 J. Rogers, *lieut. 6th inf.*
 Levi Nute, *lieut. 6th inf.*
 M. W. Batman, *lieut. 6th inf.*
 A. Richardson, *lieut. 6th inf.*
 J. Nichols, *lieut. 6th inf.*
 G. H. Crosman, *lieut. 6th inf.*
 G. H. Kennerly, *U. S. S. Ind. agent,*
 W. W. Eaton, *lieut. 6th inf.*
 Michael Burdeau, his x mark, *Maha interpreter,*
 William Rodgers.

CHAPTER XXV.

Treaties with the Poncarars.

Treaty with the Poncarars. No. 1. A treaty of peace and friendship made and concluded between William Clark and Auguste Chouteau, commissioners on the part and behalf of the United States of America, of the one part, and the undersigned chiefs and warriors of the Poncarar tribe of Indians, on the part and of their said tribe of the other part.

The parties desirous of re-establishing peace and friendship. The parties being desirous of re-establishing peace and friendship between the United States and their said tribe, and of being placed, in all things and every respect, upon the same footing upon which they stood before the late war between the United States and Great Britain, have agreed to the following articles :

Injuries, &c., forgiven and forgot. *Art. 1.* Every injury or act of hostility by one or either of the contracting parties against the other, shall be mutually forgiven and forgot.

Perpetual peace and friendship. *Art. 2.* There shall be perpetual peace and friendship between all the citizens of the United States of America and all the individuals composing the said Poncarar tribe ; and all the friendly relations that existed between them before the war shall be, and the same are hereby renewed.

The tribe under the protection of the United States. *Art. 3.* The undersigned chiefs and warriors, for themselves and their said tribe, do hereby acknowledge themselves to be under the protection of the United States of America, and of no other nation, power, or sovereign whatever.

In witness whereof, the said William Clark and Auguste Chouteau, commissioners as aforesaid, have hereunto subscribed their names and affixed their seals, this twenty-fifth day of June, in the year of our Lord one thousand eight hundred and seventeen, and of the independence of the United States the forty-first.

Wm. Clark,
Auguste Chouteau,
Aquadaba, the Fighter, his x mark,
Gradonga, Fork-tailed Hawk, his x mark,
Shondagaha, Smoker, his x mark,
Kihegashinga, Little Chief, his x mark,
Necawcompe, the Handsome Man, his x mark,
Ahalupah, the Rough Buffalo Horn, his x mark,
Showeno, the Corner, his x mark,
Bardegara, he who stands fire, his x mark.

Witnesses present :

Lewis Bissel, acting secretary to the commissioners,
Mannuel Lisa, U. S. Indian agent,
Benja. O'Fallon, U. S. Indian agent,
R. Graham, Indian agent for Illinois,
Dr. Wm. J. Clarke,
B. Vasques,
Saml. Solomon, interpreter,
Stephen Julien, U. S. Indian interpreter.
Joseph Lafleche, interpreter.

No 2. For the purposes of perpetuating the friendship which has heretofore Treaty with existed, as also to remove all future cause of discussion or dissension, as it the Poncars.* respects trade and friendship between the United States and their citizens, and the Poncar tribe of Indians, the president of the United States of America, by brigadier-general Henry Atkinson, of the United States' army, and major Benjamin O'Fallon, Indian agent, with full powers and authority, specially appointed and commissioned for that purpose, of the one part, and the undersigned chiefs, head men, and warriors of the Poncar tribe of Indians, on behalf of said tribe, of the other part, have made and entered into the following articles and conditions, which, when ratified by the president of the United States, by and with the advice and consent of the senate, shall be binding on both parties—to wit :

Art. 1. It is admitted by the Poncar tribe of Indians, that they reside within the territorial limits of the United States, acknowledge their supremacy, and claim their protection. The said tribe also admit the right of the United States to regulate all trade and intercourse with them.

Art. 2. The United States agree to receive the Poncar tribe of Indians into their friendship, and under their protection, and to extend to them, from time to time, such benefits and acts of kindness as may be convenient, and seem just and proper to the president of the United States.

Art. 3. All trade and intercourse with the Poncar tribe shall be transacted at such place or places as may be designated and pointed out by the president of the United States, through his agents ; and none but American citizens, duly authorized by the United States, shall be admitted to trade or hold intercourse with said tribe of Indians.

Art. 4. That the Poncar tribe may be accommodated with such articles of merchandise, &c. as their necessities may demand, the United States agree to admit and license traders to hold intercourse with said tribe, under mild and equitable regulations : in consideration of which, the Poncar tribe bind themselves to extend protection to the persons and the property of the traders, and the persons legally employed under them, whilst they remain within the limits of the Poncar district of country. And the said Poncar tribe further agree, that if any foreigner or other person, not legally authorized by the United States, shall come into their district of country, for the purposes of trade or other views, they will apprehend such person or persons, and deliver him or them to some United States' superintendent, or agent of Indian affairs, or to the commandant of the nearest military post, to be dealt with according to law.—And they further agree to give safe conduct to all persons who may be legally authorized by the United States to pass through their country ; and to protect, in their persons and property, all agents or other persons sent by the United States to reside temporarily among them.

Poncars admit themselves to be in the limits of the U. S. and claim protection.

U. States extend friendship and protection, &c.

Trade to be carried on at places to be designated by the president of the U. S.

Licensed traders to be admitted and protected.

Foreigners excluded.

Agents and other persons sent by the U. States to be protected.

* Though the name is spelt a little differently, presumed to be the same Indians as those who are parties to the preceding number of this chapter.

No private revenge for injuries to be taken, &c.

Mode of proceeding in case of injury done by either party:

Stolen horses to be recovered and delivered up, &c.

Indemnity for property stolen from Indians guaranteed.

White men to be delivered up.

Art. 5. That the friendship which is now established between the United States and the Poncar tribe should not be interrupted by the misconduct of individuals, it is hereby agreed, that for injuries done by individuals, no private revenge or retaliation shall take place, but instead thereof, complaints shall be made, by the party injured, to the superintendent or agent of Indian affairs, or other person appointed by the president; and it shall be the duty of the said chiefs, upon complaint being made as aforesaid, to deliver up the person or persons against whom the complaint is made, to the end that he or they may be punished agreeably to the laws of the United States. And, in like manner, if any robbery, violence, or murder, shall be committed on any Indian or Indians belonging to said tribe, the person or persons so offending shall be tried, and if found guilty, shall be punished in like manner as if the injury had been done to a white man. And it is agreed, that the chiefs of said Poncar tribe shall, to the utmost of their power, exert themselves to recover horses or other property, which may be stolen or taken from any citizen or citizens of the United States, by any individual or individuals of said tribe; and the property so recovered shall be forthwith delivered to the agents or other person authorized to receive it, that it may be restored to the proper owner. And the United States hereby guarantee to any Indian or Indians of said tribe, a full indemnification for any horses or other property which may be stolen from them by any of their citizens: provided, that the property so stolen cannot be recovered, and that sufficient proof is produced that it was actually stolen by a citizen of the United States. And the said Poncar tribe engage, on the requisition or demand of the president of the United States, or of the agents, to deliver up any white man resident among them.

Art. 6. And the chiefs and warriors, as aforesaid, promise and engage, that their tribe will never, by sale, exchange, or as presents, supply any nation or tribe of Indians, not in amity with the United States, with guns, ammunition, or other implements of war.

Done at the Poncar Village, at the mouth of White Paint Creek, the first below the Qui Carre River, this 9th day of June, A. D. 1825, and of the independence of the United States the forty-ninth.

In testimony whereof, the said commissioners, Henry Atkinson and Benjamin O'Fallon, and the chiefs, head men, and warriors, of the Poncar tribe, have hereunto set their hands and affixed their seals.

H. Atkinson, br. gen. U. S. army,
Benj. O'Fallon, U. S. agt. Ind. aff.
Shu-de-gah-he, or He who makes Smoke,

Ish-ca-da-bee, or Child Chief,	x
Wah-ha-nee-che, or He who hides something,	x
Wah, or The Hoe,	x
O-nam-ba-haa, or Lightning,	x
Ti-e-kee-ree, or Big Head with tangled hair	x
Wa-we-shu-shee, or The Brave,	x
Ou-de-cowee, or the one that has been wounded,	x
Ne-ou-gree, or Prairie apple,	x
Woh-ge-a-mussee, or The flying iron,	x
Pee-la-ga, or Buffalo,	x
Wah-buc-kee, or The bull that leads,	x
Wah-ha-nega, or He that has no knife,	x
Mah-shar-harrec, or He walks on land,	x
Mach-souch-kee-na-pabee, or He that fears no bears,	x
Ca-het-tha-bee, or Black raven,	x
Gah-he-ga, or The relative of the Chiefs,	x
Na-hee-tapee, or He that stamps,	x
Na-ne-pa-shee, or One that knows,	x

Witnesses :

H. Leavenworth, *col. U. S. army,*
 S. W. Kearny, *br. maj. 1st inf.*
 D. Ketchum, *major U. S. army,*
 G. H. Kennerly, *U. S. S. Ind. agt.*
 John Gale, *surgeon U. S. army,*
 J. Gantt, *capt. 6th inf.*
 Wm. Armstrong, *capt. 6th regt. inf.*
 S. Mac Ree, *lieut. 1st inf.*
 J. Rogers, *lieut. 6th inf.*
 Thomas Noel, *lieut. 6th inf.*
 S. Wragg, *adj. 1st regt. inf.*
 R. Holmes, *lieut. 6th inf.*
 Thos. P. Gwynn, *lieut. 1st inf.*
 Levi Nute, *lieut. 6th inf.*
 Jas. W. Kingsbury, *lieut. 1st regt. I.*
 M. W. Batman, *lieut. 6th inf.*
 Wm. L. Harris, *1st inf.*
 R. M. Coleman, *A. surgeon U. S. A.*
 Wm. Gordon,
 A. Langman,
 P. X. Promo,
 A. L. Langham, *sec. to the commission.*

CHAPTER XXVI.

Treaties with the Quapaws.

No. 1. A treaty of friendship, cession, and limits, made and entered into, this Treaty with twenty-fourth day of August, eighteen hundred and eighteen, by, and between the Quapaws, between, William Clark and Auguste Chouteau, commissioners on the part and behalf of the United States, of the one part, and the undersigned chiefs and warriors of the Quapaw tribe or nation, on the part and behalf of their said tribe or nation, of the other part.

Art. 1. The undersigned chiefs and warriors, for themselves and their said tribe or nation, do hereby acknowledge themselves to be under the protection of the United States; and of no other state, power, or sovereignty, whatsoever.

The Quapaws acknowledge themselves under the protection of the U. States.

Cession of
lands.

Art. 2. The undersigned chiefs and warriors, for themselves and their said tribe or nation, do hereby, for, and in consideration of, the promises and stipulations hereinafter named, cede and relinquish to the United States, forever, all the lands within the following boundaries, viz: Beginning at the mouth of the Arkansaw river; thence, extending up the Arkansaw, to the Canadian fork, and up the Canadian fork to its source; thence south, to Big Red river, and down the middle of that river, to the Big Raft; thence, a direct line, so as to strike the Mississippi river, thirty leagues in a straight line, below the mouth of Arkansaw; together with all their claims to land east of the Mississippi, and north of the Arkansaw river, included within the coloured lines 1, 2, and 3, on the above map,* with the exception and reservation following, that is to say: the tract of country bounded as follows: Beginning at a point on the Arkansaw river, opposite the present post of Arkansaw, and running thence, a due southwest course, to the Washita river; thence, up that river, to the Saline fork; and up the Saline fork to a point, from whence a due north course would strike the Arkansaw river at the Little Rock; and thence, down the right bank of the Arkansaw, to the place of beginning: which said tract of land, last above designated and reserved, shall be surveyed and marked off, at the expense of the United States, as soon as the same can be done with convenience, and shall not be sold or disposed of, by the said Quapaw tribe or nation, to any individual whatever, nor to any state or nation, without the approbation of the United States first had and obtained.

(* A map accompanies the original treaty.)

Reservation from the cession.

The reservation to be surveyed at the expense of the United States; and the Quapaws not to sell without their consent.

The Quapaws may hunt within the ceded territory, until, &c.

No person to settle on the lands reserved for the Quapaws.

Citizens of the U. S. to pass without toll through the Quapaw reservation.

Goods to be delivered im-

Art. 3. It is agreed, between the United States and the said tribe or nation, that the individuals of the said tribe or nation shall be at liberty to hunt within the territory by them ceded to the United States, without hindrance or molestation, so long as they demean themselves peaceably, and offer no injury or annoyance to any of the citizens of the United States, and until the said United States may think proper to assign the same, or any portion thereof, as hunting grounds to other friendly Indians.

Art. 4. No citizen of the United States, or any other person, shall be permitted to settle on any of the lands hereby allotted to, and reserved for, the said Quapaw tribe or nation, to live and hunt on; yet it is expressly understood and agreed on, by, and between, the parties aforesaid, that, at all times, the citizens of the United States shall have the right to travel and pass freely, without toll or exaction, through the Quapaw reservation, by such roads or routes as now are, or hereafter may be, established.

Art. 5. In consideration of the cession and stipulations aforesaid, the United States do hereby promise and bind them-

selves to pay and deliver to the said Quapaw tribe or nation, immediately upon the execution of this treaty, goods and merchandise to the value of four thousand dollars, and to deliver, or cause to be delivered, to them, yearly, and every year, goods and merchandise to the value of one thousand dollars, to be estimated in the city or place, in the United States, where the same are procured or purchased.

Art. 6. Lest the friendship which now exists between the United States and the said tribe or nation, should be interrupted by the misconduct of individuals, it is hereby agreed, that, for injuries done by individuals, no private revenge or retaliation shall take place; but, instead thereof, complaints shall be made by the party injured, to the other; by the tribe or nation aforesaid, to the governor, superintendent of Indian affairs, or some other person authorized and appointed for that purpose; and by the governor, superintendent, or other person authorized, to the chiefs of the said tribe or nation. And it shall be the duty of the said tribe or nation, upon complaint being made, as aforesaid, to deliver up the person or persons, against whom the complaint is made, to the end that he or they may be punished, agreeably to the laws of the state or territory where the offence may have been committed; and, in like manner, if any robbery, violence, or murder, shall be committed on any Indian or Indians, belonging to the said tribe or nation, the person or persons so offending shall be tried, and, if found guilty, punished in like manner as if the injury had been done to a white man. And it is further agreed, that the chiefs of the said tribe or nation shall, to the utmost of their power, exert themselves to recover horses, or other property, which may be stolen from any citizen or citizens of the United States, by any individual or individuals of the said tribe or nation; and the property so recovered, shall be forthwith delivered to the governor, superintendent, or other person authorized to receive the same, that it may be restored to the proper owner. And in cases where the exertions of the chiefs shall be ineffectual in recovering the property stolen, as aforesaid, if sufficient proof can be obtained that such property was actually stolen by an Indian or Indians, belonging to the said tribe or nation, a sum, equal to the value of the property which has been stolen, may be deducted, by the United States, from the annuity of said tribe or nation. And the United States hereby guarantee to the individuals of the said tribe or nation, a full indemnification for any horse or horses, or other property, which may be taken from them by any of their citizens: Provided, the property so stolen cannot be recovered, and that sufficient proof is produced that it was actually stolen by a citizen or citizens of the United States.

mediately;
and annually
thereafter.

No private revenge for injuries by individuals; but complaints to be made by the one party to the other,

Quapaws to deliver up offenders for trial and punishment.

Offences against Indians to be punished in like manner.

Indians to exert themselves to recover stolen horses and other property.

Deduction for property stolen, and not recovered, to be made from annuity.

Indemnification for property stolen from Indians by citizens.

Treaty obligatory when ratified.

Art. 7. This treaty shall take effect, and be obligatory on the contracting parties, as soon as the same shall have been ratified by the president of the United States, by and with the advice and consent of the senate.

William Clark,
 Aug. Chouteau,
 Krakaton, or the Dry Man, his x mark,
 Hradapaa, or the Eagle's Bill, his x mark,
 Mahraka, or Buck Wheat, his x mark,
 Honkadagni, his x mark,
 Wagonkedatton, his x mark,
 Hradaskamonmini, or the Pipe Bird, his x mark,
 Patongdi, or the Approaching Summer, his x mark,
 Tchonka, or the Tame Buffalo, his x mark,
 Hamonmini, or the Night Walker, his x mark,
 Washingteteton, or Mocking Bird's Bill, his x mark,
 Hontikani, his x mark,
 Tataonsa, or the Whistling Wind, his x mark,
 Mozatete, his x mark.

Done at St. Louis, in the presence of

R. Wash, *secretary to the commission*,
 R. Paul, *col. M. M. C. I.*
 Jn. Ruland, *sub agent, &c.*
 R. Graham, *Indian agent*,
 M. Lewis Clark,
 J. T. Honore, *Indian interpreter*,
 Joseph Bonne, *interpreter*,
 Julius Pescay,
 Stephen Julian, *U. S. Indian interpreter*,
 James Loper,
 William P. Clark.

Treaty with the Quapaws.

No. 2. Articles of a treaty between the United States of America and the Quapaw nation of Indians.

Lands ceded.

Art. 1. The Quapaw nation of Indians cede to the United States of America, in consideration of the promises and stipulations hereinafter made, all claim or title which they may have to lands in the territory of Arkansas, comprised in the following boundaries, to wit: Beginning at a point on the Arkansas river, opposite to the Post of Arkansas, and running thence a due south-west course to the Ouachita river; and thence, up the same, to the Saline fork; and up the Saline fork, to a point from whence a due north-east course will strike the Arkansas river at Little Rock: and thence down the right (or south bank) of the Arkansas river to the place of beginning.

\$500 to be paid the head chiefs, &c. &c.

Art. 2. In consideration of the cession made in the first article of this treaty, by the aforesaid chiefs and warriors, the United States engage to pay to the four head chiefs of the Quapaw nation, the sum of five hundred dollars each, in consideration of the losses they will sustain by removing from their farms and improvements. The payment to be made at the time they receive their annuity for the year 1825. And,

also, to the said nation, the sum of four thousand dollars, to be paid in goods, at the signing of this treaty. And the United States also engage to pay to the Quapaw nation, one thousand dollars in specie, annually, for the term of eleven years, in addition to their present annuity.

Art. 3. The United States hereby guarantee to the said nation of Indians, the same right to hunt on the lands by them hereby ceded, as was guaranteed to them by a treaty concluded at St. Louis, on the 24th of August, 1818, between the said Quapaw nation of Indians and William Clark and Auguste Chouteau, commissioners on the part of the United States. Rights guaranteed them.

Art. 4. The Quapaw tribe of Indians will hereafter be concentrated and confined to the district of country inhabited by the Caddo Indians, and form a part of said tribe. The said nation of Indians are to commence removing to the district allotted them, before the twentieth day of January, one thousand eight hundred and twenty-six. To be confined to the district of country inhabited by the Caddo Indians.

Art. 5. For the purpose of facilitating the removal of the said tribe, to the district of country allotted them, and as a compensation for the losses sustained, and the inconveniences to which they may be exposed by said removal, the United States will furnish them with corn, meat, and salt, for six months, from the first day of January, one thousand eight hundred and twenty-six. The United States further agree to furnish a sum not exceeding one thousand dollars, to be expended by their agent, to facilitate the transportation of the said tribe to the district of country herein assigned them. An agent, sub-agent, or interpreter, shall be appointed to accompany said tribe, and to reside among them. Corn, meat, &c. to be allowed them for certain purposes, for six months.

Art. 6. From the cession aforesaid, there shall be reserved to James Scull, in consideration of a debt of seven thousand five hundred dollars, due to him from the Quapaw nation, and recognized in open council, two sections of land commencing on the Arkansas River, opposite to Mrs. Embree's, and running up and back from said river for quantity. And the United States guarantee to the Quapaw nation the payment of the said debt of seven thousand five hundred dollars, either by the ratification of the grant made in this article, or by the payment of said amount in money, exclusive of the amount stipulated to be paid to the said nation by this treaty. \$7500 to be reserved to Jas. Scull.

Art. 7. There shall be granted by the United States, to the following persons, being Indians by descent, the following tracts of land: To Francois Imbeau, one quarter section of land, commencing at a point on the Arkansas river, opposite the upper end of Wright Daniel's farm, and thence, up and back from said river for quantity. To Joseph Duchassin, one quarter section of land, commencing at the lower corner of the quarter section granted to Francois Imbeau, and running down and Tracts of land granted to certain persons, Indians by descent.

back from said river for quantity. To Saracen, a half-breed Quapaw, eighty acres of land, to be laid off so as to include his improvement, where he now resides, opposite Vaugine's. To Batiste Socie, eighty acres of land, lying above and adjoining Saracen's grant. To Joseph Bonne, eighty acres of land, lying above and adjoining Socie's grant. To Baptiste Bonne, eighty acres of land, lying above and adjoining Joseph Bonne's grant. To Lewis Bartelmi, eighty acres of land lying above and adjoining Baptiste Bonne's grant. To Antoine Duchassin, eighty acres of land, lying above and adjoining Bartelmi's grant. To Baptiste Imbeau, eighty acres of land, lying above and adjoining A. Duchassin's grant. To Francois Coupot, eighty acres of land, lying above and adjoining Baptiste Imbeau's grant. To Joseph Valliere, eighty acres of land, lying above and adjoining Francois Coupot's grant. All the said tracts of land shall be laid off, so as to conform to the lines of the United States' surveys, and binding on the Arkansas river.

To take effect
when ratified.

Art. 8. This treaty shall take effect, and be obligatory on the contracting parties, so soon as the same shall be ratified by the senate of the United States.

In testimony whereof, the commissioner on the part of the United States, Robert Crittenden, and the undersigned [L. s.] chiefs and warriors of the said nation, have hereunto subscribed their names and affixed their seals.

Done at Harrington's, in the territory of Arkansas, on the fifteenth day of November, A. D. one thousand eight hundred and twenty-four, and of the independence of the United States the forty-ninth.

ROBERT CRITTENDEN, [L. s.]

Commissioner on the part of the United States.

Hackehton, his x mark,	l. s.
Tononseka, his x mark,	l. s.
Kiahhacketady, his x mark,	l. s.
Sarazen, his x mark,	l. s.
Kakapah, his x mark,	l. s.
Hunkahkee, his x mark,	l. s.
Wahtonbeh, his x mark,	l. s.
Hunkatugonee, his x mark,	l. s.
Hepahdagonneh, his x mark,	l. s.
Wahehsonjekah, his x mark,	l. s.
Gratonjekah, his x mark,	l. s.
Watuhtezka, his x mark,	l. s.
Dohkuhnonjeslu, his x mark,	l. s.
Kahtahkonku, his x mark,	l. s.
Hahcrontenah, his x mark,	l. s.

Signed, sealed, and witnessed in presence of

Thomas W. Newton, *secretary to the commission,*
Robert C. Oden, *lieut. col. 2d regt. Arkansas militia,*
F. Farrelly, *adjutant gen. of Arkansas militia,*
B. Harrington,

D. Barber, *sub-agent to the Osages*,
 Gordon Neill,
 Edmund Hogan,
 Thomas W. Johnston,
 Antoine Barrague,
 Etienne Vanyine, *interpreter*,
 Joseph Duchassin, *interpreter*.

CHAPTER XXVII.

Treaty with the Wyandots.

No. 1. Articles of a treaty made and concluded, at St. Mary's, in the state of Ohio, between Lewis Cass, commissioner of the United States, thereto specially authorized by the President of the United States, and the chiefs and warriors of the Wyandot tribe of Indians.

Art. 1. The Wyandot tribe of Indians hereby cede to the United States all the right reserved to them in two tracts of land, in the territory of Michigan, one including the village called Brownstown, and the other the village called Maguagua, formerly in the possession of the Wyandot tribe of Indians, containing in the whole not more than five thousand acres of land; which two tracts of land were reserved for the use of the said Wyandot tribe of Indians, and their descendants, for the term of fifty years, agreeably to the provisions of the act of congress, passed February 28, 1809, and entitled, "An act for the relief of certain Alabama and Wyandot Indians."

The Wyandots cede two tracts of land in Michigan.

Art. 2. In consideration of the preceding cession, the United States will reserve, for the use of the said Wyandot Indians, sections numbered twenty-three, twenty-four, twenty-five, twenty-six; thirty-four, thirty-five, thirty-six, twenty-seven, and that part of section numbered twenty-two, which contains eight acres, and lies on the south side of the river Huron, being in the fourth township, south of the base line, and in the ninth range east of the first meridian, in the territory of Michigan, and containing four thousand nine hundred and ninety-six acres; and the said tract of land shall be reserved for the use of the said Wyandot Indians, and their descendants, and be secured to them in the same manner, and on the same terms and conditions, as is provided in relation to the Alabama Indians, by the first section of the beforementioned act of Congress, except that the said Wyandot Indians, and their descendants, shall hold the said land so long as they or their descendants shall occupy the same.

The United States will reserve certain sections for the Wyandots on the south side of the river Huron.

The reservation to be for the use of the Wyandots and their descendants, &c.

In testimony whereof, the said Lewis Cass, commissioner as aforesaid, and the chiefs and warriors of the said Wyandot tribe of Indians, have hereunto set their hands, at St. Ma-

ry's, in the state of Ohio, this twentieth day of September, in the year of our Lord one thousand eight hundred and eighteen.

Lewis Cass,
Ronesass, or Honas, his x mark,
Haunsiaugh, or Boyer, his x mark,
Ronaess, or Racer, his x mark,
Ronioness, or Joseph, his x mark,
Scoutash, his x mark,
Dunquod, or Half King, his x mark,
Aronne, or Cherokee Boy, his x mark,
Tarantne, or Between the Logs, his x mark.

In presence of

R. A Forsyth, jun. *secretary to the commission*,
John Johnston, *Indian agent*,
B. F. Stickney, *S. I. A.*
W. W. Walker, *interpreter*,
John Conner,
Wm. Turner.

[*Note.* The Wyandots are also parties in common to other treaties, for which see chap. 3, Nos. 1, 2, 3, 5, 6, 8, 9, 12, 13, 16, 17.]

CHAPTER XXVIII.

Treaty with the Miamis.

Treaty with
the Miamis.

No. 1. Articles of a treaty made and concluded, at St. Mary's, in the state of Ohio, between Jonathan Jennings, Lewis Cass, and Benjamin Parke, commissioners of the United States, and the Miami nation of Indians.

Cession of
lands by the
Miamis.

Art. 1. The Miami nation of Indians cede to the United States the following tract of country: Beginning at the Wabash river, where the present Indian boundary line crosses the same, near the mouth of Racoon creek; thence, up the Wabash river, to the reserve at its head, near fort Wayne; thence, to the reserve at fort Wayne; thence, with the lines thereof, to the St. Mary's river; thence, up the St. Mary's river, to the reservation at the portage; thence, with the line of the cession made by the Wyandot nation of Indians to the United States, at the foot of the rapids of the Miami of lake Erie, on the 29th day of September, in the year of our Lord one thousand eight hundred and seventeen, to the reservation at Loramie's store; thence, with the present Indian boundary line, to fort Recovery; and, with the said line, following the courses thereof, to the place of beginning.

Reservations
from the ces-
sion for the
use of the
Miamis.

Art. 2. From the cession aforesaid the following reservations, for the use of the Miami nation of Indians, shall be made; one reservation, extending along the Wabash river, from the mouth of Salamanie river to the mouth of Eel river, and from those points, running due south, a distance equal to a direct line from the mouth of Salamanie river to the mouth of Eel

river. One other reservation, of two miles square, on the river Salamanie, at the mouth of Atchepongqawwe creek. One other reservation, of six miles square, on the Wabash river, below the forks thereof. One other reservation, of ten miles square, opposite the mouth of the river A Bouette. One other reservation, of ten miles square, at the village on Sugar Tree creek. One other reservation, of two miles square, at the mouth of a creek, called Flat Rock, where the road to White river crosses the same.

Art. 3. The United States agree to grant, by patent, in fee simple, to Jean Bapt. Richardville, principal chief of the Miami nation of Indians, the following tracts of land: Three sections of land, beginning about twenty-five rods below his house, on the river St. Mary's, near fort Wayne; thence, at right angles with the course of the river, one mile; and from this line, and the said river, up the stream thereof, for quantity. Two sections, upon the east side of the St. Mary's river, near fort Wayne, running east one mile with the line of the military reservation; thence, from that line, and from the river, for quantity. Two sections, on the Twenty-seven mile creek, where the road from St. Mary's to fort Wayne crosses it, being one section on each side of said creek.

Two sections on the left bank of the Wabash, commencing at the forks and running down the river.

The United States also agree to grant to each of the following persons, being Miami Indians by birth, and their heirs, the tracts of land herein described. Other grants.

To Joseph Richardville and Joseph Richardville, jun. two sections of land, being one on each side of the St. Mary's river, and below the reservation made on that river by the treaty of Greenville, in 1795.* To J. Richardville and J. Richardville, jr.

To Wemetche or the Crescent, one section, below and adjoining the reservation of Anthony Chesne, on the west side of the St. Mary's river, and one section immediately opposite, to Macultamunqua or Black Loon. To the Crescent.

To Keenquatakqua or Long Hair, Aronzon or Twilight, Peconbequa or a Woman striking, Aughquamauda or Difficulty, and to Miaghqua or Noon, as joint tenants, five sections of land upon the Wabash river, the centre of which shall be the Wyandot village, below the mouth of Tippecanoe river. To Long Hair and others, as joint tenants.

To Francis Godfroy, six sections of land, on the Salamanie river, at a place called La Petite Prairie. To F. Godfroy.

To Louis Godfroy, six sections of land, on the St. Mary's river, above the reservation of Anthony Shane. To L. Godfroy.

* Ante, chap. 3, No. 3.

- To Charley. To Charley, a Miami chief, one section of land, on the west side of St. Mary's river, below the section granted to Pemetché or the Crescent.
- To eldest children of P. Langlois. To the two eldest children of Peter Langlois, two sections of land, at a place formerly called Village du Puant, at the mouth of the river called Pouceaupichoux.
- To children of A. Bondie. To the children of Antoine Bondie, two sections of land, on the border of the Wabash river, opposite a place called l'Isle a l'Aille.
- To F. Lafontaine and son. To Francois Lafontaine and his son, two sections of land, adjoining and above the two sections granted to Jean Bapt. Richardville, near fort Wayne, and on the same side of the St. Mary's river.
- To children of A. Rivarre. To the children of Antoine Rivarre, two sections of land, at the mouth of the Twenty-seven mile creek, and below the same.
- To youngest child of P. Langlois. To Peter Langlois's youngest child, one section of land, opposite the Chipaille, at the Shawanee village.
- To P. Labadie. To Peter Labadie, one section of land, on the river St. Mary's, below the section granted to Charley.
- To G. Hunt's son. To the son of George Hunt, one section of land, on the west side of the St. Mary's river, adjoining the two sections granted to Francois Lafontaine and his son.
- To the Little Turtle. To Meshenoqua or the Little Turtle, one section of land, on the south side of the Wabash, where the portage path strikes the same.
- To J. Beaubien. To Josette Beaubien, one section of land on the left bank of the St. Mary's, above and adjoining the three sections granted to Jean Bapt. Richardville.
- To Ann Turner. To Ann Turner, a half-blooded Miami, one section of land on the northwest side of the Wabash river, to commence at the mouth of Fork creek, on the west bank of the said creek, and running up said creek one mile in a direct line, thence at right angles with this line for quantity.
- To Rebecca Hackley. To Rebecca Hackley, a half-blooded Miami, one section of land, to be located at the Munsee town, on White River, so that it shall extend on both sides to include three hundred and twenty acres of the Prairie, in the bend of the river, where the bend assumes the shape of a horse shoe.
- To W. W. Wells. To William Wayne Wells, a half-blooded Miami, one section of land at the mouth of the Fork creek, where the reservation for Ann Turner commences, running down the Wabash river on the northwest bank one mile; thence, back one mile; thence, east one mile, to the boundary line of the grant to Ann Turner.
- To Mary Wells. To Mary Wells, a half-blooded Miami, one section of land at the mouth of Stoney creek, on the southeast side of the Wabash river, the centre of which shall be at the mouth of said

creek, running with the meanders thereof, up and down the Wabash river, one half mile, and thence back for quantity.

To Jane Turner Wells, a half-blooded Miami, one section of land, on the northwest side of the Wabash river, to commence on the west bank of said river, opposite the old lime kiln; thence, down the said river one mile, and back for quantity.

Art. 4 The Miami nation of Indians assent to the cession made by the Kickapoos to the United States, by the treaty concluded at Vincennes, on the ninth day of December, one thousand eight hundred and nine.*

Art. 5. In consideration of the cession and recognition aforesaid, the United States agree to pay to the Miami nation of Indians, a perpetual annuity of fifteen thousand dollars, which, together with all annuities which, by any former treaty, the United States have engaged to pay to the said Miami nation of Indians, shall be paid in silver.

The United States will cause to be built for the Miamis one grist-mill and one saw-mill, at such proper sites as the chiefs of the nation may select, and will provide and support one blacksmith and one gunsmith for them, and provide them with such implements of agriculture as the proper agent may think necessary.

The United States will also cause to be delivered, annually, to the Miami nation, one hundred and sixty bushels of salt.

Art. 6. The several tracts of land which, by the third article of this treaty, the United States have engaged to grant to the persons therein mentioned, except the tracts to be granted to Jean Bapt. Richardville, shall never be transferred by the said persons or their heirs, without the approbation of the president of the United States.

Art. 7. This treaty shall be obligatory on the contracting parties after the same shall be ratified by the president of the United States, by and with the advice and consent of the senate thereof.

In testimony whereof, the said Jonathan Jennings, Lewis Cass, and Benjamin Parke, commissioners as aforesaid, and the chiefs and warriors of the Miami nation of Indians, have hereunto set their hands, at St. Mary's, the sixth day of October, in the year of our Lord one thousand eight hundred and eighteen.

Jonathan Jennings,
Lewis Cass,
B. Parke,
Peshawa, or Richardville, his x mark,
Osas, his x mark,
Ketauga, or Charley, his x mark,
Metche Keteta, or Big Body, his x mark,

* Ante, chap. 14, No. 1.

Notawas, his x mark,
 Wapapeslea, his x mark,
 Tathtenouga, his x mark,
 Papskeecha, or Flat Belly, his x mark,
 Metosma, his x mark,
 Sasakuthika, or Sun, his x mark,
 Keosakunga, his x mark,
 Kochenna, his x mark,
 Sinamahon, or Stone Eater, his x mark,
 Cabma, his x mark,
 Ameghqua, his x mark,
 Nawaushca, his x mark.

In presence of

James Dill, *secretary to the commissioners*,
 William Turner, *secretary*,
 John Johnston, *Indian agent*,
 B. F. Stickney, *S. I. A.*
 John Kenzie, *sub-agent*,
 G. Godfroy, *sub-agent*,
 John Conner,
 John F. Swan, *major 3d. U. S. infantry*,
 Wm. Brunot, *lieut. 3d. infantry*,
 Wm. P. Rathbone, *army contractor*,
 Wm. Oliver,
 Joseph Benson, *sworn interpreter*,
 Wm. Conner, *interpreter*,
 Antoine Pride, *interpreter*.

[*Note.* The Miamis are also parties in common with other tribes to other treaties, for which see chap. 3, Nos. 3, 4, 7, 10, 11, 12, 13.]

CHAPTER XXIX.

Treaties with the Pawnees.

Treaty with
the Grand
Pawnees.

No. 1. A treaty of peace and friendship, made and concluded by and between William Clark and Auguste Chouteau, commissioners of the United States of America, on the part and behalf of the said states, of the one part, and the undersigned chiefs and warriors of the Grand Pawnee tribe, on the part and behalf of their said tribe, of the other part.

The parties
desirous of
peace and
friendship.

The parties, being desirous of establishing peace and friendship between the United States and the said tribe, have agreed to the following articles:

Injuries for-
given and
forgot.

Art. 1. Every injury or act of hostility, by one or either of the contracting parties against the other, shall be mutually forgiven and forgot.

Perpetual
peace and
friendship.

Art. 2. There shall be perpetual peace and friendship between all the citizens of the United States of America, and all the individuals composing the said Grand Pawnee tribe.

The tribe un-
der the pro-
tection of the
U. S. only.

Art. 3. The undersigned chiefs and warriors, for themselves and their said tribe, do hereby acknowledge themselves to be under the protection of the United States of America, and of no other nation, power, or sovereign, whatsoever.

Art. 4. The undersigned chiefs and warriors, for themselves and the tribes they represent, do moreover promise and oblige themselves to deliver up, or cause to be delivered up, to the authority of the United States, (to be punished according to law,) each and every individual of the said tribe, who shall, at any time hereafter, violate the stipulations of the treaty this day concluded between the said tribe and the said United States.

Violators of this treaty to be delivered up for punishment, according to law.

In witness whereof, the said William Clark and Auguste Chouteau, commissioners as aforesaid, and the said chiefs and warriors as aforesaid, have hereunto subscribed their names and affixed their seals, this eighteenth day of June, in the year of our Lord one thousand eight hundred and eighteen, and of the independence of the United States the forty-second.

Wm. Clark,
 Aug. Chouteau,
 Teratuewit, the Bald Eagle, his x mark,
 Taheerish, the Soldier, his x mark,
 Petaperishita, Who wants to go to War, his x mark,
 Talawehouree, the Follower, his x mark,
 Tarracarrawaa, the Grand Chief Big Hair, his x mark,
 Shinggacahaga, his x mark,
 Aiuweehouonceweeka, Chief of the Birds, his x mark,
 Islaapee, his x mark,
 Settulushaa, the Knife Chief, his x mark,
 Shakororishshara, Chief of the Sun, his x mark,
 Tarraccarwaa, the Wild Cat, his x mark,
 Tarrarevetiishta, the Round Shield, his x mark,
 Arorishhara, the Warrior, his x mark,
 Telawaheartearookot, the Fighter, his x mark,
 Kagakerecouk, the Crow's Eye, his x mark,
 Latatorishhara, the Chief of the Shield, his x mark.

Done at St. Louis, in the presence of

R. Wash, *secretary to the commission*,
 R. Paul, *col. M. M.*
 John O'Fallon, *capt. R. R.*
 Jn. Ruland, *sub agent and trans. &c.*
 A. L. Papin, *interpreter*,
 Wm. Grayson,
 I. T. Honore, *interpreter*,
 Stephen Julian, *U. S. interpreter*,
 Josiah Ramsay,
 Th. Robedout.

No. 2. A treaty of peace and friendship, made and concluded by, and between, William Clark and Auguste Chouteau, commissioners of the United States of America, on the part and behalf of the said states, of the one part, Noisy Pawnee and the undersigned, chiefs and warriors of the Pitavirate Noisy Pawnee tribe, on the part and behalf of their said tribe, of the other part.

The parties, being desirous of establishing peace and friendship between the United States and the said tribe, have agreed to the following articles:

Parties desirous of peace and friendship.

Injuries forgiven and forgot.

Perpetual peace and friendship.

The tribe under the protection of the U. S. only.

Violators of this treaty to be delivered up for punishment according to law.

Art. 1. Every injury or act of hostility by one or either of the contracting parties, against the other, shall be mutually forgiven and forgot.

Art. 2. There shall be perpetual peace and friendship between all the citizens of the United States of America, and all the individuals composing the said Noisy Pawnee tribe.

Art. 3. The undersigned chiefs and warriors, for themselves and their said tribe, do hereby acknowledge themselves to be under the protection of the United States of America, and of no other nation, power, or sovereign, whatsoever.

Art. 4. The undersigned chiefs and warriors, for themselves and the tribe they represent, do moreover promise and oblige themselves to deliver up, or cause to be delivered up, to the authority of the United States, (to be punished according to law,) each and every individual of the said tribe, who shall, at any time thereafter, violate the stipulations of the treaty this day concluded between the said Noisy Pawnee tribe and the said states.

In witness whereof, the said William Clark and Auguste Chouteau, commissioners as aforesaid, and the chiefs and warriors aforesaid, have hereunto subscribed
[L. s.] ed their names, and affixed their seals, this nineteenth day of June, in the year of our Lord one thousand eight hundred and eighteen, and of the Independence of the United States the forty-second.

Wm. Clark,
Aug. Chouteau,
Taretuushita, the First in War, his x mark,
Charuvarn, the Great Chief, his x mark,
Skalavalacharo, the only Grand Chief, his x mark,
Panukuhike, the Chief Man, his x mark,
Ishtataveeirou, the Discoverer, his x mark,
Taarakarukaishita, the Handsome Bird, his x mark,
Lecoutswaroushtu, the Buffalo Doctor, his x mark,
Tacacatahekou, the Running Wolf, his x mark,
Kewatookoush, the Little Fox, his x mark.

Done at St. Louis, in the presence of

W. Wash, *secretary to the commission*,
R. Paul, *col. M. M. C. interpreter*,
R. Graham, *I. agent, Illinois territory*,
Jno. O. Fallon, *capt. R. regiment*,
Jno. Ruland, *S. agent, trans. &c.*
A. L. Papin, *interpreter Inds.*
I. T. Honore, *Ind. interpreter*,
S. Julian, *U. S. Ind. interpreter*,
Josiah Ramsey,
Wm. Grayson,
John Robedout.

No. 3. A treaty of peace and friendship, made and concluded by, and between, William Clark and Auguste Chouteau, commissioners of the United States of America, on the part and behalf of the said states, of the one part, and the undersigned chiefs and warriors of the Pawnee Republic, on the part and behalf of their tribe, of the other part.

The parties, being desirous of establishing peace and friendship between the United States and the said tribe, have agreed to the following articles:

Art. 1. Every injury or act of hostility, by one or either of the contracting parties, against the other, shall be mutually forgiven and forgot.

Art. 2. There shall be perpetual peace and friendship between all the citizens of the United States of America, and all the individuals composing the said Pawnee tribe.

Art. 3. The undersigned chiefs and warriors, for themselves and their said tribe, do hereby acknowledge themselves to be under the protection of the United States of America, and of no other nation, power, or sovereign, whatsoever.

Art. 4. The undersigned chiefs and warriors, for themselves and the tribe they represent, do moreover promise and oblige themselves to deliver up, or to cause to be delivered up, to the authority of the United States, (to be punished according to law,) each and every individual of the said tribe who shall, at any time hereafter, violate the stipulations of the treaty this day concluded between the said Pawnee Republic and the said states.

In witness whereof, the said William Clark and Auguste Chouteau, commissioners as aforesaid, and the chiefs and warriors aforesaid, have hereunto subscribed their names and affixed their seals, this twentieth day of June, in the year of our Lord one thousand eight hundred and eighteen, and of the independence of the United States the forty-second.

Wm. Clark,
Aug. Chouteau,
Petaheick, the Good Chief, his x mark,
Rarnleshare, the Chief Man, his x mark,
Shernakitare, the First in the War Party, his x mark,
Sheterahiate, the Partizan Discoverer, his x mark,
Tearekatacaush, the Brave, his x mark,
Pa, or the Elk, his x mark,
Tetawiouche, Wearer of Shoes, his x mark.

Done at St. Louis in the presence of

R. Wash, *secretary to the commission*,
R. Paul, *col. M. M. C. interpreter*,
H. Graham, *I. A. Ill. ter.*
John O. Fallon, *capt. R. regt.*
John Ruland, *sub-agt. trans'r, &c.*
A. L. Papin, *interpreter*,
J. T. Honore, *Id. interpreter*,
S. Julian, *U. S. Id. Interpreter*,
Wm. Grayson,
Josiah Ramsey,
John Robelout.

Treaty with
the Pawnee
Marhars.

No. 4. A treaty of peace and friendship, made and concluded by, and between, William Clark and Auguste Chouteau, commissioners of the United States of America, on the part and behalf of the said states, of the one part, and the undersigned chiefs and warriors of the Pawnee Marhar tribe, on the part and behalf of their said tribe, of the other part.

Parties desir-
ous of peace,
&c.

The parties, being desirous of establishing peace and friendship between the United States and the said tribe, have agreed to the following articles :

Injuries for-
given and for-
got.

Art. 1. Every injury or act of hostility, by one or either of the contracting parties, against the other, shall be mutually forgiven and forgot.

Perpetual
peace and
friendship.

Art. 2. There shall be perpetual peace and friendship between all the citizens of the United States of America, and all the individuals composing the said Pawnee tribe.

The tribe un-
der the pro-
tection of the
U. S. only

Art. 3. The undersigned chiefs and warriors, for themselves and their said tribe, do hereby acknowledge themselves to be under the protection of the United States of America, and of no other nation, power or sovereign whatsoever.

The tribe to
deliver up vi-
olators of this
treaty, to be
punished ac-
cording to law.

Art. 4. The undersigned chiefs and warriors, for themselves and the tribe they represent, do moreover promise and oblige themselves to deliver up, or to cause to be delivered up, to the authority of the United States, (to be punished according to law,) each and every individual of the said tribe, who shall, at any time hereafter, violate the stipulations of the treaty this day concluded between the said Pawnee Marhar tribe and the said states.

In witness whereof, the said William Clark and Auguste Chouteau, commissioners as aforesaid, and the chiefs and warriors aforesaid, have hereunto subscribed their names and affixed their seals, this twenty-second day of June, in the year of our Lord one thousand eight hundred and eighteen, and of the independence of the United States the forty-second.

Wm. Clark,
Aug. Chouteau,
Tarahantacaw, White Bull, his x mark,
Tearilari Sacki, Red Hawk, his x mark,
Kakaletahaw, the Crow of other Nations, his x mark,
Iarapa Kouch, the Soldier, his x mark,
Tahorou, the Gun Flint, his x mark,
Ieterceeshar, the Knife Chief, his x mark,
Tcaracheticktckspa, the Peace Maker, his x mark,
Teakahore, the Divider of the Party, his x mark,
Lahehozashea, the Presence Striker, his x mark,
Tarara, the Scalp Bearer, his x mark,
Teripakoo, the First of Soldiers, his x mark,
Irarikau, the White Cow, his x mark.

Done at St. Louis, in the presence of

R. Wash, *secretary to the commission,*
R. Graham, *I. A. Illinois territory,*
John O. Fallon, *captain rifle regiment,*

R. Paul, *colonel M. M. C. interpreter,*
 John Ruland, *sub-agent, trans'r, &c.*
 A. L. Papin, *interpreter,*
 I. T. Honore, *Indian interpreter,*
 I. Julian, *U. S. Indian interpreter,*
 Wm. Grayson,
 Josiah Ramsey,
 John Robedout.

No. 5. For the purpose of perpetuating the friendship which has heretofore existed, as also to remove all future cause of discussion or dissension, as it respects trade and friendship between the United States and their citizens, and the Pawnee tribe of Indians, the president of the United States of America, by brigadier-general Henry Atkinson, of the United States' army, and major Benjamin O'Fallon, Indian agent, with full powers and authority, specially appointed and commissioned for that purpose, of the one part, and the undersigned chiefs, head men and warriors of said Pawnee tribe of Indians, on behalf of their tribe, of the other part, have made and entered into the following articles and conditions; which, when ratified by the president of the United States, by and with the advice and consent of the senate, shall be binding on both parties—to wit:

Art. 1. It is admitted by the Pawnee tribe of Indians, that they reside within the territorial limits of the United States, acknowledge their supremacy, and claim their protection.—The said tribe also admit the right of the United States to regulate all trade and intercourse with them.

Art. 2. The United States agree to receive the Pawnee tribe of Indians into their friendship, and under their protection, and to extend to them, from time to time, such benefits and acts of kindness as may be convenient, and seem just and proper to the president of the United States.

Art. 3. All trade and intercourse with the Pawnee tribe shall be transacted at such place or places as may be designated and pointed out by the president of the United States, through his agents; and none but American citizens, duly authorized by the United States, shall be admitted to trade or hold intercourse with said tribe of Indians.

Art. 4. That the Pawnee tribe may be accommodated with such articles of merchandise, &c. as their necessities may demand, the United States agree to admit and license traders to hold intercourse with said tribe, under mild and equitable regulations: in consideration of which, the said Pawnee tribe bind themselves to extend protection to the persons and the property of the traders, and the persons legally employed under them, whilst they remain within the limits of their particular district of country. And the said Pawnee tribe further agree, that if any foreigner or other person, not legally authorized by the United States, shall come into their district of country, for the purposes of trade or other views, they will apprehend such person or persons, and deliver him or them

Treaty with
the Pawnees.

Pawnees with-
in the limits of
the U. S. and
claim their
protection.
U. States to
regulate trade.

U. States re-
ceive the tribe
into friendship
and under their
protection.

Trade to be
carried on at
places to be
designated by
the president.

Licensed trad-
ers to be ad-
mitted, and
the tribe to af-
ford them pro-
tection.

Foreigners not
to be admitted
in their coun-
try.

Agents and persons sent by the U. S. to be protected.

Citizens trading to New Mexico not to be molested.

Private revenge for injuries prohibited.

Mode of proceeding in case of injury done to either party.

Property stolen from citizens to be delivered up.

Indemnity for property stolen from the Indians guaranteed.

White men to be delivered up.

The tribe not to furnish hostile Indians with any implement of war.

to some United States' superintendent or agent of Indian affairs, or to the commandant of the nearest military post, to be dealt with according to law. And they further agree to give safe conduct to all persons who may be legally authorized by the United States to pass through their country, and to protect in their persons and property all agents or other persons sent by the United States to reside temporarily among them; nor will they, whilst on their distant excursions, molest or interrupt any American citizen or citizens, who may be passing from the United States to New Mexico, or returning from thence to the United States.

Art. 5. That the friendship which is now established between the United States and the Pawnee tribe, shall not be interrupted by the misconduct of individuals, it is hereby agreed, that for injuries done by individuals, no private revenge or retaliation shall take place, but instead thereof, complaints shall be made, by the party injured, to the superintendent or agent of Indian affairs or other person appointed by the president; and it shall be the duty of said chiefs, upon complaint being made as aforesaid, to deliver up the person or persons against whom the complaint is made, to the end that he or they may be punished, agreeably to the laws of the United States. And, in like manner, if any robbery, violence, or murder, shall be committed on any Indian or Indians belonging to said tribe, the person or persons so offending shall be tried, and if found guilty, shall be punished in like manner as if the injury had been done to a white man. And it is agreed, that the chiefs of said Pawnee tribe shall, to the utmost of their power, exert themselves to recover horses or other property, which may be stolen or taken from any citizen or citizens of the United States, by any individual or individuals of said tribe; and the property so recovered shall be forthwith delivered to the agents or other person authorized to receive it, that it may be restored to the proper owner. And the United States hereby guarantee to any Indian or Indians of said tribe, a full indemnification for any horses or other property which may be stolen from them by any of their citizens: provided, that the property stolen cannot be recovered, and that sufficient proof is produced that it was actually stolen by a citizen of the United States. And the said Pawnee tribe engage, on the requisition or demand of the president of the United States, or of the agents, to deliver up any white man resident among them.

Art. 6. And the chiefs and warriors, as aforesaid, promise and engage that their tribe will never, by sale, exchange, or as presents, supply any nation, tribe, or band of Indians, not in amity with the United States, with guns, ammunition, or other implements of war.

Done at fort Atkinson, Council Bluffs, this thirtieth day of September, A. D. 1825, and of the independence of the United States the fiftieth.

In testimony whereof, the said commissioners, Henry Atkinson and Benjamin O'Fallon, and the chiefs, head men, and warriors, of the Pawnee tribe, have hereunto set their hands and affixed their seals.

H. Atkinson, br. gen. U. S. army,	
Benj. O'Fallon, U. S. agt. Ind. aff.	
Esh-ca-tar-pa, the Bad Chief,	x
Shar-co-ro-la-shar, the Sun Chief,	x
La-cota-ve-co-cho-la-shar, the Eagle Chief,	x
La-tah carts-la-shar, the war Eagle Chief,	x
La-ta-le-shar, the Knife Chief,	x
Scar-lar-la-shar, the Man Chief,	x
La-ke-tar-la-shar, the Partizan Chief,	x
Lark-tar-ho-ra-la-shar, the Pipe Chief,	x
Esh-ca-tar-pa, the Bad Chief republican band,	x
Co-rouch-la-shar, the Bear Chief,	x
Ah-sha-o-ah-lah-co, the Dog Chief,	x
La-ho-rah-sha-rete, the Man who strikes men,	x
Tah-rah-re-tah-coh-sha, the Singing Crow,	x
Lah-ro-wah-go, the Hill Chief,	x
Ta-rah-re-tah-nash, the Big Horse Stealer,	x
La-shar-pah-he, the Tranquil Chief,	x
Ah-re-cah-rah-co-chu, the Mad Elk,	x
Ta-lah-re-ta-ret, the Partizan that strikes and carries	
his bird on his back,	x
Ta-lah-re-we-tail, the Crow that strikes,	x
Lo-lah-re-wah, the Horse Stealer who suffers his	
prize to be retaken,	x
Ta-hah-lah-re-esh-lah, the Handsome Bird,	x
Ah-sho-cole, the Rotten Foot,	x
Ah-shar-o-ca-tah-co, the Poor Man,	x
Cha-nuck-cah-lah, the Partizan that strikes,	x
Ta-lah-we-cah-wah-re, the Man that is always at war,	x

In presence of

A. L. Langham, *sec. to the com.*
 A. R. Woolley, *lieut. col. U. S. A.*
 John Galt, *surg. U. S. A.*
 John Gantt, *capt. 6th inf.*
 S. Mac Ree, *A. camp.*
 Thomas Noel, *adj. 6th reg.*
 J. Rogers, *lieut. 6th inf.*
 R. Holmes, *lieut. 6th inf.*
 M. W. Batman, *lieut. 6th inf.*
 J. Nichols, *lieut. 6th inf.*
 W. W. Eaton, *lieut. 6th inf.*
 G. H. Kennerly, *U. S. S. Ind. agent,*
 A. L. Papin,
 William Rodgers,

CHAPTER XXX.

Treaties with the Chippewas.

Treaty with
the Chippe-
was.

The Chippe-
was cede land
to the U. S.

Boundaries of
the cession.

(*Ante, No.
8, chap. 3.)

Reservations
from the ces-
sion.

No. 1. Articles of a treaty made and concluded at Saginaw, in the territory of Michigan, between the United States of America, by their commissioner, Lewis Cass, and the Chippewa nation of Indians.

Art. 1. The Chippewa nation of Indians, in consideration of the stipulations herein made on the part of the United States, do hereby, forever, cede to the United States the land comprehended within the following lines and boundaries: Beginning at a point in the present Indian boundary line, which runs due north from the mouth of the great Auglaize river, six miles south of the place where the base line, so called, intersects the same; thence, west, sixty miles; thence, in a direct line, to the head of Thunder Bay river; thence, down the same, following the courses thereof, to the mouth; thence, northeast, to the boundary line between the United States and the British province of Upper Canada; thence, with the same, to the line established by the treaty of Detroit, in the year one thousand eight hundred and seven;* thence, with the said line, to the place of beginning.

Art. 2. From the cession aforesaid the following tracts of land shall be reserved for the use of the Chippewa nation of Indians.

One tract, of eight thousand acres, on the east side of the river Au Sable, near where the Indians now live.

One tract, of two thousand acres, on the river Mesagwisk.

One tract, of six thousand acres, on the north side of the river Kawkawling, at the Indian village.

One tract, of five thousand seven hundred and sixty acres, upon the Flint river, to include Reaum's village, and a place called Kishkawbawee.

One tract, of eight thousand acres, on the head of the river Huron, which empties into the Saginaw river, at the village of Otusson.

One island in the Saginaw Bay.

One tract, of two thousand acres, where Nabobask formerly lived.

One tract, of one thousand acres, near the island in the Saginaw river.

One tract, of six hundred and forty acres, at the bend of the river Huron, which empties into the Saginaw river.

One tract, of two thousand acres, at the mouth of Point Augrais river.

One tract, of one thousand acres, on the river Huron, at Menoequet's village.

One tract, of ten thousand acres, on the Shawassee river, at a place called the Big Rock.

One tract, of three thousand acres, on the Shawassee river, at Ketchewaundaugenink.

One tract, of six thousand acres, at the Little Forks on the Tetabawasink river.

One tract, of six thousand acres, at the Black Bird's town, on the Tetabawasink river.

One tract, of forty thousand acres, on the west side of the Saginaw river, to be hereafter located.

Art. 3. There shall be reserved, for the use of each of the persons hereinafter mentioned and their heirs, which persons are all Indians by descent, the following tracts of land: Reservations for—

For the use of John Riley, the son of Menawcumegoqua, a Chippewa woman, six hundred and forty acres of land, beginning at the head of the first marsh above the mouth of the Saginaw river, on the east side thereof. John Riley.

For the use of Peter Riley, the son of Menawcumegoqua, a Chippewa woman, six hundred and forty acres of land, beginning above and adjoining the apple trees on the west side of the Saginaw river, and running up the same for quantity. Peter Riley.

For the use of James Riley, the son of Menawcumegoqua, a Chippewa woman, six hundred and forty acres, beginning on the east side of the Saginaw river, nearly opposite to Campeau's trading house, and running up the river for quantity. James Riley.

For the use of Kawkawiskou, or the Crow, a Chippewa chief, six hundred and forty acres of land, on the east side of the Saginaw river, at a place called Menitegow, and to include, in the said six hundred and forty acres, the island opposite to the said place. Kawkawiskou, or the Crow.

For the use of Nowokeshik, Metawanene, Mokitchenoqua, Nondashemau, Petabonaqua, Messawwakut, Checbulk, Kitchegeequa, Sagosequa, Annoketoqua, and Tawcumegoqua, each, six hundred and forty acres of land, to be located at and near the grand traverse of the Flint river, in such manner as the president of the United States may direct. 640 acres each for eleven others.

For the use of the children of Bokowtonden, six hundred and forty acres, on the Kawkawling river. Children of Bokowtonden.

Art. 4. In consideration of the cession aforesaid, the United States agree to pay to the Chippewa nation of Indians, annually, forever, the sum of one thousand dollars in silver; and do also agree that all annuities due by any former treaty to the said tribe, shall be hereafter paid in silver. The U. S. to pay, annually, forever, \$1000 in silver, and annuities hereafter in silver.

Art. 5. The stipulation contained in the treaty of Greenville,* relative to the right of the Indians to hunt upon the land ceded, while it continues the property of the United Right of the Indians to hunt upon the land ceded.

* Ante, No. 3, chap. 3.

Indians to have the right of making sugar.

The U. S. to pay for Indian improvements abandoned.

U. S. reserve the right to make roads.

U. S. to provide and support a blacksmith:
And furnish farming utensils and cattle.

The treaty to be effective as soon as ratified.

States, shall apply to this treaty; and the Indians shall, for the same term, enjoy the privilege of making sugar upon the same land, committing no unnecessary waste upon the trees.

Art. 6. The United States agree to pay to the Indians the value of any improvements which they may be obliged to abandon, in consequence of the lines established by this treaty, and which improvements add real value to the land.

Art. 7. The United States reserve to the proper authority the right to make roads through any part of the land reserved by this treaty.

Art. 8. The United States engage to provide and support a blacksmith for the Indians, at Saginaw, so long as the president of the United States may think proper, and to furnish the Chippewa Indians with such farming utensils and cattle, and to employ such persons to aid them in their agriculture, as the president may deem expedient.

Art. 9. This treaty shall take effect, and be obligatory on the contracting parties, so soon as the same shall be ratified by the president of the United States, by and with the advice and consent of the senate thereof.

In testimony whereof, the said Lewis Cass, commissioner as aforesaid, and the chiefs and warriors of the Chippewa nation of Indians, have hereunto set their hands, at Saginaw, in the territory of Michigan, this twenty-fourth day of September, in the year of our Lord one thousand eight hundred and nineteen.

Lewis Cass,
Pakenosega, his x mark,
Kekenutchega, his x mark,
Chimokemow, his x mark,
Kekenutchegun, his x mark,
Mocksonga, his x mark,
Noukonwabe, his x mark,
Shingwalk, his x mark,
Shingwalk, jun. his x mark,
Wawaubequak, his x mark,
Pashkobwis, his x mark,
Muskobenense, his x mark,
Waubonoosa, his x mark,
Wausaquanai, his x mark,
Minequet, his x mark,
Otauson, his x mark,
Tussequa, his x mark,
Mixabee, his x mark,
Kitchewawashen, his x mark,
Neebeenaguin, his x mark,
Anucemaycounbeeme, his x mark,
Onewequa, his x mark,
Nayokeeman, his x mark,
Peshquescum, his x mark,
Muckumcinaw, his x mark,
Kitcheenoting, his x mark,
Waubeekeenew, his x mark,

Pashkeekou, his x mark,
 Mayto, his x mark,
 Sheemaugua, his x mark,
 Kauguest, his x mark,
 Kitsleematush, his x mark,
 Aneuwayba, his x mark,
 Walkcay keejugo, his x mark,
 Autoway uabee, his x mark,
 Nawgonissee, his x mark,
 Owenisham, his x mark,
 Wauweeyatam, his x mark,
 Shawshauwenaubais, his x mark,
 Okooyousinse, his x mark,
 Ondottowaugane, his x mark,
 Amickoucena, his x mark,
 Kitcheonundeeyo, his x mark,
 Saugassauway, his x mark,
 Okeemanpeenaysee, his x mark,
 Minggeeseetay, his x mark,
 Waubishcan, his x mark,
 Peaypaymanshec, his x mark,
 Oceanauck, his x mark,
 Ogeebouinse, his x mark,
 Paymeenoting, his x mark,
 Naynooautienishkoan, his x mark,
 Kaujagonaygee, his x mark,
 Mayneeseeno, his x mark,
 Kakagouryan, his x mark,
 Meewayson, his x mark,
 Wepecumgegut, his x mark,
 Markkenwuwbe, his x mark,
 Fœnegawne, his x mark,
 Nemetetowwa, his x mark,
 Kitchmookooman, his x mark,
 Kishkaukou, his x mark,
 Peenaysee, his x mark,
 Ogemaunkeketo, his x mark,
 Reaume, his x mark,
 Nowkeshuc, his x mark,
 Mixmunitou, his x mark,
 Wassau, his x mark,
 Keneobe, his x mark,
 Moksauba, his x mark,
 Mutchwetau, his x mark,
 Nuwagon, his x mark,
 Okumanpinase, his x mark,
 Meckseonne, his x mark,
 Paupemiskobe, his x mark,
 Kogkakeshik, his x mark,
 Wauwassack, his x mark,
 Misheneanonquet, his x mark,
 Okemans, his x mark,
 Nimeke, his x mark,
 Maneleugobwawaa, his x mark,
 Puckwash, his x mark,
 Waseneso, his x mark,
 Montons, his x mark,
 Kennewobe, his x mark,
 Aguagonabe, his x mark,
 Sigonak, his x mark,
 Kokooshi, his x mark,
 Pemaw, his x mark,

Kawotoktame, his x mark,
 Sabo, his x mark,
 Kewageone, his x mark,
 Metewa, his x mark,
 Kawgeshequm, his x mark,
 Keyacum, his x mark,
 Atowagesek, his x mark,
 Mawmawkens, his x mark,
 Mamawsecuta, his x mark,
 Penayseway kesek, his x mark,
 Kewaytinam, his x mark,
 Sepewan, his x mark,
 Shashebak, his x mark,
 Shaconk, his x mark,
 Mesnakrea, his x mark,
 Singgok, his x mark,
 Maytwayaushing, his x mark.
 Soguhosh, his x mark,
 Saybo, his x mark,
 Obwole, his x mark,
 Paymusawtom, his x mark,
 Endus, his x mark,
 Aushetayawnekusa, his x mark.
 Wawapenishik, his x mark,
 Omikon, his x mark,
 Leroy, his x mark.

Witnesses at signing :

John L. Leib, *secretary*,
 D. G. Whitney, *assistant secretary*,
 C. L. Cass, *capt. 3d. infantry*,
 R. A. Forsyth, *jun. acting commissioner*,
 Chester Root, *capt. U. S. artillery*,
 John Peacock, *lieut. 3d. U. S. infantry*,
 G. Godfroy, *sub-agent*,
 W. Knaggs, *sub-agent*,
 William Tucky, }
 Louis Beufort, } *sworn interpreters*,
 John Hurson, }
 James V. S. Riley,
 B. Campau,
 John Hill, *army contractor*,
 J. Whipple,
 Henry I. Hunt,
 William Keith,
 A. E. Lacock, *M. S. K.*
 Richard Smyth,
 Louis Dequindre,
 B. Head,
 John Smyth,
 Conrad Ten Eyck.

Treaty with
the Chippe-
ways.

The Chippe-
ways cede a
tract of land.

No. 2. Articles of a treaty, made and concluded at the Sault de St. Mary, in the territory of Michigan, between the United States, by their commissioner, Lewis Cass, and the Chippeway tribe of Indians.

Art. 1. The Chippeway tribe of Indians cede to the United States the following tract of land : Beginning at the Big Rock, in the river St. Mary's, on the boundary line between the Unit-

ed States and the British Province of Upper Canada ; and, running thence, down the said river, with the middle thereof, to the Little Rapid ; and, from those points, running back from the said river, so as to include sixteen square miles of land.

Art. 2. The Chippeway tribe of Indians acknowledge to have received a quantity of goods in full satisfaction of the preceding cession. Chippeways have received goods in satisfaction.

Art. 3. The United States will secure to the Indians a perpetual right of fishing at the falls of St. Mary's, and also a place of encampment upon the tract hereby ceded, convenient to the fishing ground, which place shall not interfere with the defences of any military work which may be erected, nor with any private rights. Perpetual right of fishing at the falls of St. Mary's to the Indians.

Art. 4. This treaty, after the same shall be ratified by the president of the United States, by and with the advice and consent of the senate thereof, shall be obligatory on the contracting parties.

In witness whereof, the said Lewis Cass, commissioner as aforesaid, and the chiefs and warriors of the said Chippeway tribe of Indians, have hereunto set their hands, at the place aforesaid, this sixteenth day of June, in the year of our Lord one thousand eight hundred and twenty.

Lewis Cass,
Shingaubayassin, his x mark,
Kegeash, his x mark,
Sagishewayoson, his x mark,
Wayishkey, his x mark,
Nenowaiskam, his x mark,
Wasawaton, his x mark,
Wemiguenacwanay, his x mark,
Nabinois, his x mark,
Macadaywacwet, his x mark,
Shaiwabekaton, his x mark,
Netaway, his x mark,
Kaibaway, his x mark,
Nawoquesequm, his x mark,
Tawabit, his x mark,
Augustin Bart, his x mark.

Witnesses present :

R. A. Forsyth, *secretary*,
Alex. Wolcott, Jr. *Indian agent, Chicago*,
D. B. Douglass, *capt. U. S. engineers*,
Eneas Mackay, *lieut. corps artillery*,
John J. Pierce, *lieut. artillery*,
Henry R. Schoolcraft, *mineralogist to the expedition*,
James Duane Doty,
Charles C. Trowbridge,
Alex. R. Chase,
James Ryley, *sworn interpreter*.

[*Note.* The Chippewas are also parties, in common, to other treaties, for which see ante, chap. 3, Nos. 1, 2, 3, 6, 8, 9, 13, 15, 16, 19, 20.]

CHAPTER XXXI.

Treaty with the Florida Indians.

JAMES MONROE,

PRESIDENT OF THE UNITED STATES OF AMERICA,

To all and singular to whom these presents shall come, greeting:

Treaty with
the Florida
tribe of Indi-
ans.

No. 1. Whereas a treaty between the United States of America and the Florida tribes of Indians was made and concluded, on the eighteenth day of September, one thousand eight hundred and twenty-three, at camp, on Moultrie creek, in the territory of Florida, by commissioners on the part of the United States, and certain chiefs and warriors of the said tribes, on the part and in behalf of the said tribes; which treaty is in the words following, to wit:

Said Indians to
continue under
the protection of the
U. States.

Art. 1. The undersigned chiefs and warriors, for themselves and their tribes, have appealed to the humanity, and thrown themselves on, and have promised to continue under, the protection of the United States, and of no other nation, power, or sovereign; and, in consideration of the promises and stipulations hereinafter made, do cede and relinquish all claim or title which they may have to the whole territory of Florida, with the exception of such district of country as shall herein be allotted to them.

Said Indians
to be confined
to the follow-
ing metes and
boundaries.

Art. 2. The Florida tribes of Indians will hereafter be concentrated and confined to the following metes and boundaries: commencing five miles north of Okehumke, running in a direct line to a point five miles west of Setarky's settlement, on the waters of Amazura, (or Withlahuche river,) leaving said settlement two miles south of the line; from thence, in a direct line, to the south end of the Big Hammock, to include Chickuhate; continuing, in the same direction, for five miles beyond the said Hammock—provided said point does not approach nearer than fifteen miles the sea coast of the Gulf of Mexico; if it does, the said line will terminate at that distance from the sea coast; thence, south, twelve miles; thence in a south 30 deg. east direction, until the same shall strike within five miles of the main branch of Charlotte river; thence, in a due east direction, to within twenty miles of the Atlantic coast; thence, north, fifteen west, for fifty miles, and from this last, to the beginning point.

The U. States
to take the
Florida Indi-
ans under
their care, &c.

Art. 3. The United States will take the Florida Indians under their care and patronage, and will afford them protection against all persons whatsoever; provided they conform to the laws of the United States, and refrain from making war, or giving any insult to any foreign nation, without having first obtained the permission and consent of the United States: And,

in consideration of the appeal and cession made in the first article of this treaty, by the aforesaid chiefs and warriors, the United States promise to distribute among the tribes, as soon as concentrated, under the direction of their agent, implements of husbandry, and stock of cattle and hogs, to the amount of six thousand dollars, and an annual sum of five thousand dollars a year, for twenty successive years, to be distributed as the president of the United States shall direct, through the Secretary of War, or his superintendents and agent of Indian affairs.

A distribution of implements of husbandry, &c. to be made among them, &c.

Art. 4. The United States promise to guarantee to the said tribes the peaceable possession of the district of country herein assigned them, reserving the right of opening through it such roads, as may, from time to time, be deemed necessary; and to restrain and prevent all white persons from hunting, settling, or otherwise intruding upon it. But any citizen of the United States, being lawfully authorized for that purpose, shall be permitted to pass and repass through the said district, and to navigate the waters thereof, without any hindrance, toll, or exaction from said tribes.

The U. States to guarantee to them the peaceable possession of the district of country assigned to them on certain conditions.

Art. 5. For the purpose of facilitating the removal of the said tribes to the district of country allotted them, and, as a compensation for the losses sustained, or the inconveniences to which they may be exposed by said removal, the United States will furnish them with rations of corn, meat, and salt, for twelve months, commencing on the first day of February next; and they further agree to compensate those individuals who have been compelled to abandon improvements on lands, not embraced within the limits allotted, to the amount of four thousand five hundred dollars, to be distributed among the sufferers, in a ratio to each, proportional to the value of the improvements abandoned. The United States further agree to furnish a sum, not exceeding two thousand dollars, to be expended by their agent, to facilitate the transportation of the different tribes to the point of concentration designated.

Corn, meat, &c. to be allowed them for twelve months, for certain purposes, &c.

Art. 6. An agent, sub-agent, and interpreter, shall be appointed, to reside within the Indian boundary aforesaid, to watch over the interests of said tribes; and the United States further stipulate, as an evidence of their humane policy towards said tribes, who have appealed to their liberality, to allow for the establishment of a school at the agency, one thousand dollars per year for twenty successive years; and one thousand dollars per year, for the same period, for the support of a gun and blacksmith, with the expenses incidental to his shop.

An agent, &c. to be appointed to reside among them.

Art. 7. The chiefs and warriors aforesaid, for themselves and tribes, stipulate to be active and vigilant in the preventing the retreating to, or passing through, of the district of country assigned them, of any absconding slaves or fugitives from jus-

The chiefs, &c. to prevent any fugitive slaves from taking

shelter among
them, &c.

A commis-
sioner and
surveyor to be
appointed.

Grounds on
which the ob-
jections of the
tribes to cer-
tain lands are
founded.

Said Indians
request the
grant in fee
simple of cer-
tain lands to
Col. Hum-
phreys and
Steph. Rich-
ards.

tice; and further agree, to use all necessary exertions to apprehend and deliver the same to the agent, who shall receive orders to compensate them agreeably to the trouble and expenses incurred.

Art. 8. A commissioner, or commissioners, with a surveyor, shall be appointed, by the president of the United States, to run and mark, (blazing fore and aft the trees) the line as defined in the second article of this treaty, who shall be attended by a chief or warrior, to be designated by a council of their own tribe, and who shall receive, while so employed, a daily compensation of three dollars.

Art. 9. The undersigned chiefs and warriors, for themselves and tribes, having objected to their concentration within the limits described in the second article of this treaty, under the impression that the said limits did not contain a sufficient quantity of good land to subsist them, and for no other reason: it is, therefore, expressly understood, between the United States and the aforesaid chiefs and warriors, that should the country embraced in the said limits, upon examination by the Indian agent and the commissioner, or commissioners, to be appointed under the 8th article of this treaty, be by them considered insufficient for the support of the said Indian tribes; then the north line, as defined in the 2d article of this treaty, shall be removed so far north as to embrace a sufficient quantity of good tillable land.

Art. 10. The undersigned chiefs and warriors, for themselves and tribes, have expressed to the commissioners their unlimited confidence in their agent, Col. Gad Humphreys, and their interpreter, Stephen Richards, and, as an evidence of their gratitude for their services and humane treatment, and brotherly attentions to their wants, request that one mile square, embracing the improvements of Eneche Mathla, at Talahassee (said improvements to be considered as the centre) be conveyed, in fee simple, as a present to Col. Gad Humphreys. —And they further request, that one mile square, at the Ochee-see Bluffs, embracing Stephen Richard's field on said bluffs, be conveyed in fee simple, as a present to said Stephen Richards. The commissioners accord in sentiment with the undersigned chiefs and warriors, and recommend a compliance with their wishes to the president and senate of the United States; but the disapproval, on the part of the said authorities, of this article, shall, in no wise, affect the other articles and stipulations concluded on in this treaty.

In testimony whereof, the commissioners, William P. Duval, James Gadsden, and Bernard Segui, and the undersigned chiefs and warriors, have hereunto subscribed their names and affixed their seals. Done at camp, on Moul-

trie creek, in the territory of Florida, this eighteenth day of September, one thousand eight hundred and twenty-three, and of the independence of the United States the forty-eighth.

William P. Duval,	l. s.
James Gadsden,	l. s.
Bernard Segui,	l. s.
Nea Mathla, his x mark,	l. s.
Tokose Mathla, his x mark,	l. s.
Nimnee Homata Tustenuky, his x mark,	l. s.
Miconope, his x mark,	l. s.
Nocosee Ahola, his x mark,	l. s.
John Blunt, his x mark,	l. s.
Otle mata, his x mark,	l. s.
Tuskeenecha, his x mark,	l. s.
Tuski Hajo, his x mark,	l. s.
Econchatimico, his x mark,	l. s.
Emotcle, his x mark,	l. s.
Mulatto King, his x mark,	l. s.
Chocholohano, his x mark,	l. s.
Ematlochee, his x mark,	l. s.
Wokse Holata, his x mark,	l. s.
Amathla Ho, his x mark,	l. s.
Holatefiscico, his x mark,	l. s.
Chefiscico Hajo, his x mark,	l. s.
Lathloa Mathla, his x mark,	l. s.
Senufky, his x mark,	l. s.
Alak Hajo, his x mark,	l. s.
Fahelustee Hajo, his x mark,	l. s.
Octahamico, his x mark,	l. s.
Tusteneck Hajo, his x mark,	l. s.
Okoskee Amathla, his x mark,	l. s.
Ocheeny Tustenuky, his x mark,	l. s.
Phillip, his x mark,	l. s.
Charley Amathla, his x mark,	l. s.
John Hoponey, his x mark,	l. s.
Rat Head, his x mark,	l. s.
Holatta Amathla, his x mark,	l. s.
Foshatchimico, his x mark,	l. s.

Signed, sealed, and delivered, in the presence of

George Murray, *secretary to the commission,*

G. Humphreys, *Indian agent,*

Stephen Richards, *interpreter,*

Isaac N. Cox,

J. Erving, *capt. 4th. artillery,*

Harvey Brown, *lieut. 4th artillery,*

C. D'Espinville, *lieut. 4th artillery,*

Jno. B. Scott, *lieut. 4th artillery,*

William Travers,

Horatio S. Dexter.

ADDITIONAL ARTICLE.

Whereas Nea Mathla, John Blunt, Tuski Hajo, Mulatto King, Emathlochee, and Econchatimico, six of the principal chiefs of the Florida Indians, and parties to the treaty to which this article has been annexed, have warmly appealed to the commissioners for permission to remain in the district of

Additional article.

country now inhabited by them; and, in consideration of their friendly disposition, and past services to the United States, it is, therefore, stipulated, between the United States and the aforesaid chiefs, that the following reservations shall be surveyed, and marked by the commissioner, or commissioners, to be appointed under the 8th article of this treaty: For the use of Nea Mathla and his connexions, two miles square, embracing the Tuphulga village, on the waters of Rocky Comfort creek. For Blunt and Tuski Hajo, a reservation, commencing on the Apalachicola, one mile below Tuski Hajo's improvements, running up said river four miles; thence, west, two miles; thence, southerly, to a point two miles due west of the beginning; thence, east, to the beginning point. For Mulatto King and Emathlochee, a reservation, commencing on the Apalachicola, at a point to include Yellow Hair's improvements; thence, up said river, for four miles; thence, west, one mile; thence, southerly, to a point one mile west of the beginning; and thence, east, to the beginning point. For Econchatimico, a reservation, commencing on the Chatahoochie, one mile below Econchatimico's house; thence, up said river, for four miles; thence, one mile, west; thence, southerly, to a point one mile west of the beginning; thence, east, to the beginning point. The United States promise to guarantee the peaceable possession of the said reservations, as defined, to the aforesaid chiefs and their descendants *only*, so long as they shall continue to occupy, improve, or cultivate, the same; but in the event of the abandonment of all, or either of the reservations, by the chief or chiefs, to whom they have been allotted, the reservation, or reservations, so abandoned, shall revert to the United States, as included in the cession made in the first article of this treaty. It is further understood, that the names of the individuals remaining on the reservations aforesaid, shall be furnished, by the chiefs in whose favour the reservations have been made, to the superintendent or agent of Indian affairs, in the territory of Florida; and that no other individuals shall be received or permitted to remain within said reservations, without the previous consent of the superintendent or agent aforesaid; And, as the aforesaid chiefs are authorized to select the individuals remaining with them, so they shall each be separately held responsible for the peaceable conduct of their towns, or the individuals residing on the reservations allotted them. It is further understood, between the parties, that this agreement is not intended to prohibit the voluntary removal, at any future period, of all or either of the aforesaid chiefs and their connections, to the district of country south, allotted to the Florida Indians, by the second article of this treaty, whenever either, or all may think proper to make such an election; the United States reserving the right of ordering, for any out-

rage or misconduct, the aforesaid chiefs, or either of them, with their connections, within the district of country south, aforesaid. It is further stipulated, by the United States, that, of the six thousand dollars, appropriated for implements of husbandry, stock, &c. in the third article of this treaty, eight hundred dollars shall be distributed, in the same manner, among the aforesaid chiefs and their towns; and it is understood, that, of the annual sum of five thousand dollars, to be distributed by the president of the United States, they will receive their proportion. It is further stipulated, that, of the four thousand five hundred dollars, and two thousand dollars, provided for by the 5th article of this treaty, for the payment for improvements and transportation, five hundred dollars shall be awarded to Nea Mathla, as a compensation for the improvements abandoned by him, as well as to meet the expenses he will unavoidably be exposed to, by his own removal, and that of his connections.

In testimony whereof, the commissioners, William P. Duval, James Gadsden, and Bernard Segui, and the undersigned chiefs and warriors, have hereunto subscribed their names and affixed their seals. Done at camp, on Moultrie creek, in the territory of Florida, this eighteenth day of September, one thousand eight hundred and twenty-three, and of the independence of the United States the forty-eighth.

Wm. P. Duval,	l. s.
James Gadsden,	l. s.
Bernard Segui,	l. s.
Nea Mathla, his x mark,	l. s.
John Blunt, his x mark,	l. s.
Tuski Hajo, his x mark,	l. s.
Mulatto King, his x mark,	l. s.
Emathlochee, his x mark,	l. s.
Econchatimico, his x mark,	l. s.

Signed, sealed, and delivered, in presence of

George Murray, *secretary to the commission,*
 Ja. W. Ripley,
 G. Humphreys, *Indian agent,*
 Stephen Richards, *interpreter.*

The following statement shows the number of men retained by the chiefs who have reservations made them, at their respective villages:

	Number of men.
Blount, - - - - -	43
Cochran, - - - - -	45
Mulatto King, - - - - -	30
Emathlochee, - - - - -	28
Econchatimico, - - - - -	38
Nea Mathla, - - - - -	30
Total,	214

Now, therefore, be it known, that I, James Monroe, president of the United States of America, having seen and considered the said treaty, do, in pursuance of the advice and consent of the senate, as expressed by their resolution of the twenty-third of last month, accept, ratify, and confirm the same, and every clause and article thereof, with the exception of the tenth article of said treaty.

In testimony whereof, I have caused the seal of the United States to be hereunto affixed, having signed the same with my hand.

Done at the city of Washington, this second day of January, in the year of our Lord one thousand eight hundred and twenty-four, and of the independence of the United States the forty-eighth.

JAMES MONROE.

By the President :

JOHN QUINCY ADAMS,
Secretary of State.

CHAPTER XXXII.

Treaty with the Teton, Yancton, and Yanc-tonies bands of the Sioux Indians.

Treaty with
the Tetons,
Yanctons and
Yanc-tonies.

No. 1. For the purposes of perpetuating the friendship which has heretofore existed, as also to remove all future cause of discussion or dissension, as it respects trade and friendship between the United States and their citizens, and the Teton, Yancton, and Yanc-tonies bands of the Sioux tribe of Indians, the president of the United States of America, by brigadier-general Henry Atkinson, of the United States' army, and major Benjamin O'Fallon, Indian agent, with full powers and authority, specially appointed and commissioned for that purpose, of the one part, and the undersigned chiefs, head men, and warriors of the Teton, Yancton, and Yanc-tonies bands of the Sioux tribe of Indians, on behalf of said bands or tribe of the other part, have made and entered into the following articles and conditions, which, when ratified by the president of the United States, by and with the advice and consent of the senate, shall be binding on both parties—to wit :

Admit themselves within the limits of the U. S. and under their protection.
U. S. to regulate trade with them.

Art. 1. It is admitted by the Teton, Yancton and Yanc-tonies bands of Sioux Indians, that they reside within the territorial limits of the United States, acknowledge their supremacy, and claim their protection. The said bands also admit the right of the United States to regulate all trade and intercourse with them.

U. S. to extend acts of kindness to them.

Art. 2. The United States agree to receive the said Teton, Yancton, and Yanc-tonies bands of Sioux Indians into their friendship, and under their protection, and to extend to them, from time to time, such benefits and acts of kindness as may be convenient, and seem just and proper to the president of the United States.

Art. 3. All trade and intercourse with the Teton, Yancton, and Yanctonies bands shall be transacted at such place or places as may be designated and pointed out by the president of the United States, through his agents; and none but American citizens, duly authorized by the United States, shall be admitted to trade or hold intercourse with said bands of Indians.

Places for trade with them to be designated by the president of the U. S.

Art. 4. That the Teton, Yancton, and Yanctonies bands may be accommodated with such articles of merchandise, &c. as their necessities may demand, the United States agree to admit and license traders to hold intercourse with said tribes or bands, under mild and equitable regulations: in consideration of which, the Teton, Yancton, and Yanctonies bands bind themselves to extend protection to the persons and the property of the traders, and the persons legally employed under them, whilst they remain within the limits of their particular district of country. And the said Teton, Yancton, and Yanctonies bands further agree, that if any foreigner or other person, not legally authorized by the United States, shall come into their district of country, for the purposes of trade or other views, they will apprehend such person or persons, and deliver him or them to some United States' superintendent, or agent of Indian affairs, or to the nearest military post, to be dealt with according to law.—And they further agree to give safe conduct to all persons who may be legally authorized by the United States to pass through their country; and to protect, in their persons and property, all agents or other persons sent by the United States to reside temporarily among them.

Licensed traders to be admitted among them, to whom they are to extend protection.

Foreigners not to be admitted among them for any purpose:

Protection to be given to all persons sent among them by U. S.

Art. 5. That the friendship which is now established between the United States and the Teton, Yancton, and Yanctonies bands should not be interrupted by the misconduct of individuals, it is hereby agreed, that for injuries done by individuals, no private revenge or retaliation shall take place, but instead thereof, complaints shall be made, by the party injured, to the superintendent or agent of Indian affairs, or other person appointed by the president; and it shall be the duty of the said chiefs, upon complaint being made as aforesaid, to deliver up the person or persons against whom the complaint is made, to the end that he or they may be punished agreeably to the laws of the United States. And, in like manner, if any robbery, violence, or murder, shall be committed on any Indian or Indians belonging to said bands, the person or persons so offending shall be tried, and if found guilty shall be punished in like manner as if the injury had been done to a white man. And it is agreed, that the chiefs of the said Teton, Yancton, and Yanctonies bands shall, to the utmost of their power, exert themselves to recover horses or other property, which may be stolen or taken from any citizen or citizens of the United States, by any individual or individuals of said bands; and the property so recovered shall

Private revenge for injuries prohibited.

Mode of proceeding in case of injury done to either party.

Horses and other property stolen from citizens to be restored.

Indemnity to
the Indians
guaranteed for
property stolen
from them.

White men
residing
among them
to be delivered
up.

Hostile In-
dians not to be
supplied by
them with im-
plements of
war.

be forthwith delivered to the agents or other person authorized to receive it, that it may be restored to the proper owner. And the United States hereby guarantee to any Indian or Indians of said bands, a full indemnification for any horses or other property which may be stolen from them by any of their citizens: provided, that the property so stolen cannot be recovered, and that sufficient proof is produced that it was actually stolen by a citizen of the United States. And the said Teton, Yancton, and Yanctonies bands engage, on the requisition or demand of the president of the United States, or of the agents, to deliver up any white man resident among them.

Art. 6. And the chiefs and warriors, as aforesaid, promise and engage, their band or tribe will never, by sale, exchange, or as presents, supply any nation, or tribe of Indians, not in amity with the United States, with guns, ammunition, or other implements of war.

Done at fort Look-out, near the three rivers of the Sioux pass, this 22d day of June, A. D. 1825, and of the independence of the United States the forty-ninth.

In testimony whereof, the said commissioners, Henry Atkinson and Benjamin O'Fallon, and the chiefs, head man, and warriors, of the Teton, Yancton, and Yanctonies bands, of Sioux tribe, have herunto set their hands, and affixed their seals.

H. Atkinson, br. gen. U. S. Army,
Benj. O'Fallon, U. S. agt. Ind. aff.

YANCTONS.

Maw-too-sa-be-kia, the black bear,	x
Wacan-o-li-gnan, the flying medicine,	x
Wah-hah-ginga, the little dish,	x
Cha-pon-ka, the musqueto,	x
Eta-ke-nus-ke-an, the mad face,	x
To-ka-oo, the one that kills,	x
O-ga-tec, the fork,	x
You-ia-san, the warrior,	x
Wah-ta-ken-do, the one who comes from war,	x
To-qui-in-too, the little soldier,	x
Ha-sas-hah, the loway,	x

TETONS.

Ta-tan-ka-guenish-qui-gnan, the mad buffalo,	x
Mah-to-ken-do-ha-cha, the hollow bear,	x
E-gue-mon-wa-con-ta, the one that shoots at the tiger,	x
Jai-kan-kan-c, the child chief,	x
Shawa-non, or O-e-te-kah, the brave,	x
Man-to-dan-za, the running bear,	x
Wa-can-guela-sassa, the black lightning,	x
Wa-be-la-wa-con, the medicine war eagle,	x
Cam-pes-cah-o-ran-co, the swift shell,	x
Eh-ra-ka-chc-ka-la, the little elk,	x
Na-pe-a-mus-ka, the mad hand,	x
J-a-pee, the soldier,	x
Hoo-wa-gah-hak, the broken leg,	x
Ce-cha-he, or the burnt thigh,	x

O-caw-see-non-gea, or the spy, x
 Ta-tun-ca-see-ha-hue-ka, the buffaloe with the long foot, x
 Ah-kee-chc-ha-chc-ga-la, the little soldier, x

In presence of

A. L. Langham, *secretary to the commission*,
 H. Leavenworth, *col. U. S. army*,
 S. W. Kearny, *br. maj. 1st inf.*
 G. H. Kennerly, *U. S. S. Ind. agent*,
 P. Wilson, *U. S. S. Ind. agent*,
 Wm. Armstrong, *capt. 6th reg. inf.*
 R. B. Mason, *capt. 1st inf.*
 J. Gantt, *captain 6th inf.*
 S. Mac Rec, *lieut. and aid de camp*,
 Wm. S. Harney, *lieut. 1st inf.*
 Thomas Noel, *lieut. 6th inf.*
 B. Riley, *captain 6th inf.*
 James W. Kingsbury, *lieut. 1st regt.*
 S. Wragg, *ajlt. 1st regt.*
 G. C. Spencer, *capt. 1st regt.*
 A. S. Miller, *lieut. 1st inf.*
 H. Swearingen, *lieut. 1st inf.*
 Thos. P. Gwynn, *lieut. 1st inf.*
 M. W. Batman, *lieut. 6th inf.*
 George C. Hntter, *lieut. 6th inf.*
 J. Rogers, *lieut. 6th inf.*
 Wm. Day, *lieut. 1st inf.*
 John Gale, *surgeon U. S. army*,
 D. Ketchum, *major U. S. army*,
 R. H. Stuart, *lieut. 1st inf.*
 Wm. Gordon,
 Jean Baptiste Dorion.

CHAPTER XXXIII.

Treaty with the Sioune and Ogallala bands of the Sioux tribe of Indians.

No. 1. For the purpose of perpetuating the friendship which has heretofore existed, as also to remove all future cause of discussion or dissension, as it respects trade and friendship between the United States and their citizens, and the Sioune and Ogallala bands of the Sioux tribe of Indians, the president of the United States of America, by brigadier-general Henry Atkinson, of the United States' army, and major Benjamin O'Fallon, Indian agent, with full powers and authority, specially appointed and commissioned for that purpose, of the one part, and the undersigned chiefs, head men, and warriors, of the said Sioune and Ogallala bands of Sioux Indians, on behalf of their bands, of the other part, have made and entered into the following articles and conditions, which, when ratified by the president of the United States, by and with the advice and consent of the senate, shall be binding on both parties—to wit:

Art. 1. It is admitted by the Sioune and Ogallala bands of Sioux Indians, that they reside within the territorial limits of the United States, acknowledge their supremacy, and claim their protection. The said bands also admit the right of the United States to regulate all trade and intercourse with them.

Admit themselves to be within limits of the U. S. and under their protection. U. S. to regulate trade with them.

Acts of kindness to be extended to the tribes.

Art. 2. The United States agree to receive the Sioune and Ogallala bands of Sioux into their friendship, and under their protection, and to extend to them, from time to time, such benefits and acts of kindness as may be convenient, and seem just and proper to the president of the United States.

Places for trade with them to be designated by the president of the U. S.

Art. 3. All trade and intercourse with the Sioune and Ogallala bands shall be transacted at such place or places as may be designated and pointed out by the president of the United States, through his agents; and none but American citizens, duly authorized by the United States, shall be admitted to trade or hold intercourse with said bands of Indians.

Licensed traders to be admitted among them, to whom they are to extend protection, &c.

Art. 4. That the Sioune and Ogallala bands may be accommodated with such articles of merchandise, &c. as their necessities may demand, the United States agree to admit and license traders to hold intercourse with said bands, under mild and equitable regulations: in consideration of which, the Sioune and Ogallala bands bind themselves to extend protection to the persons and the property of the traders, and the persons legally employed under them, whilst they remain within the limits of their particular district of country. And the said Sioune

Foreigners not to be admitted among them for any purpose.

and Ogallala bands further agree, that if any foreigner or other person, not legally authorized by the United States, shall come into their district of country, for the purposes of trade or other views, they will apprehend such person or persons, and deliver him or them to some United States' superintendent, or agent of Indian affairs, or to the commandant of the nearest military post, to be dealt with according to law.—And they further agree to give safe conduct to all persons who may be legally authorized by the United States to pass through their country; and to protect, in their persons and property, all agents or other persons sent by the United States to reside temporarily among them; nor will they, whilst on their distant excursions, molest or interrupt any American citizen or citizens who may be passing from the United States to New Mexico, or returning from thence to the United States.

Protection to be given to all persons sent among them by U. States.

Citizens trading to New Mexico not to be molested.

Private revenge for injuries prohibited.

Art. 5. That the friendship which is now established between the United States and the Sioune and Ogallala bands should not be interrupted by the misconduct of individuals, it is hereby agreed, that for injuries done by individuals, no private revenge or retaliation shall take place, but instead thereof, complaints shall be made, by the injured party, to the superintendent or agent of Indian affairs, or other person appointed by the president; and it shall be the duty of said chiefs, upon complaint being made as aforesaid, to deliver up the person or persons against whom the complaint is made, to the end that he or they may be punished agreeably to the laws of the United States. And, in like manner, if any robbery, violence, or murder, shall be committed on any Indian or Indians be-

Mode of proceeding in case of injury done to either party.

longing to the said bands, the person or persons so offending shall be tried, and if found guilty, shall be punished in like manner as if the injury had been done to a white man. And it is agreed, that the chiefs of said Sioune and Ogallala bands shall, to the utmost of their power, exert themselves to recover horses or other property, which may be stolen or taken from any citizen or citizens of the United States, by any individual or individuals of said bands; and the property so recovered shall be forthwith delivered to the agents or other person authorized to receive it, that it may be restored to the proper owner. And the United States hereby guarantee to any Indian or Indians of said bands, a full indemnification for any horses or other property which may be stolen from them by any of their citizens: provided, that the property stolen cannot be recovered, and that sufficient proof is produced that it was actually stolen by a citizen of the United States. And the said Sioune and Ogallala bands engage, on the requisition or demand of the president of the United States, or of the agents, to deliver up any white man resident among them.

Property stolen from citizens to be restored.

Indemnity to Indians for property stolen from them guaranteed.

White men residing among them to be delivered up.

Art. 6. And the chiefs and warriors, as aforesaid, promise and engage, that their bands will never, by sale, exchange, or as presents, supply any nation, tribe, or band of Indians, not in amity with the United States, with guns, ammunition, or other implements of war.

Hostile Indians not to be furnished with implements of war.

Done at the mouth of the Teton River, this 5th day of July, A. D. 1825, and of the independence of the United States the fiftieth.

In testimony whereof, the said commissioners, Henry Atkinson and Benjamin O'Fallon, and the chiefs, head men, and warriors, of the Sioune and Ogallala bands, have hereunto set their hands, and affixed their seals.

H. Atkinson, br. gen. U. S. army,
Benj. O'Fallon, U. S. agt. Ind. aff.

SIOUNES—*Chiefs.*

Wah-e-ne-ta, the Rushing Man,	x
Cah-re-we-ca-ca, the Crow Feather,	x
Ma-ra-sea, the White Swan,	x
Chan-dee, the Tobacco,	x
O-ke-ma, the Chief,	x
Tow-cow-sa-no-pa, the Two Lance,	x

WARRIORS.

Chan-ta-wah-nee-cha, the No Heart,	x
He-hum-pee, the one that has a voice in his neck,	x
Num-cah-pah, the one that knocks down two,	x

OGALLALA—*Chiefs.*

Ta-tun-ca-nash-sha, the Standing Buffalo,	x
He-a-long-ga, the Shoulder,	x

Ma-to-weet-co, the Full White Bear,
Wa-na-re-wag-she-go, the Ghost Boy,

WARRIORS.

Ek-hah-ka-sap-pa, the Black Elk,
Tah-tong-ish-man-na, the One Buffalo,
Mah-to-ta tong-ca, the Buffalo White Bear,
Nah-ge-nish-ge-ah, the Mad Soul,

*Sioues of the Fire hearts band, who sign at Camp Hidden Creek, on the 12th
July, 1825.*

CHIEFS.

Chan-ta-pa-ta, the Fire-heart,
Wah-con-ta-non-ee, the one that shoots as he walks,
Ke-ah-ash-sha-pa, the one that makes a noise as he flies,

WARRIORS.

Mato-co-kee-pa, the one that is afraid of the White Bear,
Ho-ton-co-kee-pa, the one that is afraid of his voice,
Wom-dish-ki-a-ta, the Spotted War Eagle,
Cha-lon-we-cha-ca-ta, the one that kills the buffalo,
Ca-re-no-pa, the Two Crows,
Ca-re-a-tun-ca, the Crow that sits down,
To-ke-a-we-cha-ca-ta, the one that kills first,

In the presence of

P. Wilson, *U. S. S. Ind. agent*,
John Gale, *surgeon U. S. army*,
D. Ketchum, *major U. S. A.*
Levi Nute, *lieut. U. S. A.*
G. C. Spencer, *capt. 1st inf.*
M. W. Batman, *lieut. 6th inf.*
Wm. Armstrong, *capt. 6th regt. inf.*
Jas. W. Kingsbury, *lieut. 1st regt. I.*
R. Holmes, *lieut. 6th inf.*
R. M. Coleman, *U. S. A.*
W. Harris, *lieut. 1st inf.*
H. Leavenworth, *col. U. S. army*,
B. Kiley, *capt. 6th inf.*
S. Wragg, *adjt. 1st regt. inf.*
Wm. Day, *lieut. U. S. A.*
C. Pentland, *capt. 6th inf.*
G. H. Kennerly, *U. S. S. Ind. agt.*
Thos. P. Gwynn, *lieut. 1st inf.*

*Witnesses to the signatures of the Fire-hearts band, as executed on the 12th
July, 1825.*

A. L. Langham, *sec. to the com.*
G. H. Kennerly, *U. S. S. Ind. agt.*
H. Leavenworth, *col. U. S. army*,
S. W. Kearny, *br. maj. 1st inf.*
P. Wilson, *U. S. S. Ind. agent*,
R. M. Coleman, *U. S. A.*
Wm. Armstrong, *capt. 6th regt. inf.*
J. Gantt, *capt. 6th inf.*

CHAPTER XXXIV.

Treaty with the Chayenne tribe of Indians.

No. 1. For the purpose of perpetuating the friendship which has heretofore existed, as also to remove all future cause of discussion or dissension, as it respects trade and friendship between the United States and their citizens, and the Chayenne tribe of Indians, the president of the United States of America, by brigadier-general Henry Atkinson, of the United States' army, and major Benjamin O'Fallon, Indian agent, with full powers and authority, specially appointed and commissioned for that purpose, of the one part, and the undersigned chiefs, head men, and warriors, of the Chayenne tribe of Indians, on behalf of said tribe, of the other part, have made and entered into the following articles and conditions; which, when ratified by the president of the United States, by and with the advice and consent of the senate, shall be binding on both parties—to wit:

Art. 1. It is admitted by the Chayenne tribe of Indians, that they reside within the territorial limits of the United States, acknowledge their supremacy, and claim their protection.—The said tribe also admit the right of the United States to regulate all trade and intercourse with them.

Art. 2. The United States agree to receive the Chayenne tribe of Indians into their friendship, and under their protection, and to extend to them, from time to time, such benefits and acts of kindness as may be convenient, and seem just and proper to the president of the United States.

Art. 3. All trade and intercourse with the Chayenne tribe shall be transacted at such place or places as may be designated and pointed out by the president of the United States, through his agents; and none but American citizens, duly authorized by the United States, shall be admitted to trade or hold intercourse with said tribe of Indians.

Art. 4. That the Chayenne tribe may be accommodated with such articles of merchandise, &c. as their necessities may demand, the United States agree to admit and license traders to hold intercourse with said tribe, under mild and equitable regulations: in consideration of which, the Chayenne tribe bind themselves to extend protection to the persons and the property of the traders, and the persons legally employed under them, whilst they remain within the limits of their particular district of country. And the said Chayenne tribe further agree, that if any foreigner or other person, not legally authorized by the United States, shall come into their district of country, for the purposes of trade or other views, they will apprehend such person or persons, and deliver him or them to some United States' superintendent or agent of Indian affairs, or to the commandant of the nearest military post, to be dealt with according to law. And they further agree to give safe conduct to all persons who may be legally authorized by the United States to pass through their country, and to protect in their persons and property all

Admit themselves to be within limits of the U. S. and under their protection. U. S. to regulate trade with them.

Acts of kindness to be extended to them.

Places of trade with the tribe to be designated by the president of the United States.

Licensed traders to be admitted, to whom the tribe is to extend protection.

Foreigners not to be admitted for any purpose.

Protection to be given all persons sent among the tribe by U. S.

Citizens trading to New Mexico not to be molested.

Private revenge for injuries prohibited.

Mode of proceeding in case of injury done to either party.

Property stolen from citizens to be delivered up.

Indemnity for property stolen from the Indians guaranteed.

Tribe to deliver up white men among them.

Hostile Indians not to be furnished with implements of war.

agents or other persons sent by the United States to reside temporarily among them ; nor will they, whilst on their distant excursions, molest or interrupt any American citizen or citizens, who may be passing from the United States to New Mexico, or returning from thence to the United States.

Art. 5. That the friendship which is now established between the United States and the Chayenne tribe, should not be interrupted by the misconduct of individuals, it is hereby agreed, that for injuries done by individuals, no private revenge or retaliation shall take place, but instead thereof, complaints shall be made, by the party injured, to the superintendent or agent of Indian affairs, or other person appointed by the president ; and it shall be the duty of said chiefs, upon complaint being made as aforesaid, to deliver up the person or persons against whom the complaint is made, to the end that he or they may be punished, agreeably to the laws of the United States. And, in like manner, if any robbery, violence, or murder, shall be committed on any Indian or Indians belonging to said tribe, the person or persons so offending shall be tried, and if found guilty, shall be punished in like manner as if the injury had been done to a white man. And it is agreed, that the chiefs of said Chayenne tribe shall, to the utmost of their power, exert themselves to recover horses or other property, which may be stolen or taken from any citizen or citizens of the United States, by any individual or individuals of said tribe ; and the property so recovered shall be forthwith delivered to the agents or other person authorized to receive it, that it may be restored to the proper owner. And the United States hereby guarantee to any Indian or Indians of said tribe, a full indemnification for any horses or other property which may be stolen from them by any of their citizens: provided, that the property so stolen cannot be recovered, and that sufficient proof is produced that it was actually stolen by a citizen of the United States. And the said Chayenne tribe engage, on the requisition or demand of the president of the United States, or of the agents, to deliver up any white man resident among them.

Art. 6. And the chiefs and warriors, as aforesaid, promise and engage that their tribe will never, by sale, exchange, or as presents, supply any nation, or tribe of Indians, not in amity with the United States, with guns, ammunition, or other implements of war.

Done at the mouth of the Teton River, this sixth day of July, A. D. 1825, and of the independence of the United States the fiftieth.

In testimony whereof, the said commissioners, Henry Atkinson and Benjamin O'Fallon, and the chiefs, head men, and warriors, of the Chayenne tribe, have hereunto set their hands and affixed their seals.

H. Atkinson, br. gen. U. S. army,
Benj. O'Fallon, U. S. agt. Ind. aff.

CHIEFS.

Sho-e-mow-e-to chaw-ca-we-wah-ca-to-we, or the Wolf with the high back,	x
We-che-gal-la, or the Little Moon,	x
Ta-ton-ca-pa, or the Buffalo Head,	x
J-a-pu, or the one who talks against the others,	x

WARRIORS.

Ta-ke-che-sca, or the White Deer,	x
Chah-pac-pah-ha, or the one that raises the War Club,	x
Ta-ton-ca-hoo-oh-ca-la-eh-pa-ha, or the pile of Buffalo bones,	x
Ma-te-wash-e-na, or the Little White Bear,	x
Shong-ge-mon-e-to, or the Wolf,	x
Shong-ge-mon-e-to-e-ah-ca, or the Running Wolf,	x
Nah-pa-ton-ca, or the Big Hand,	x
Oh-kee-che-ta, or the Soldier,	x
Tah-hi-o-ta, or the Lousey Man,	x

In presence of

G. H. Kennerly, *U. S. S. Ind. agt.*
John Gale, *surgeon U. S. A.*
D. Ketchum, *maj. U. S. A.*
B. Riley, *capt. 6th infantry,*
John Gantt, *capt. 6th inf.*
C. Pentland, *capt. 6th inf.*
R. B. Mason, *capt. 1st inf.*
R. M. Coleman, *U. S. A.*
G. C. Spencer, *capt. 1st inf.*
R. Holmes, *lieut. 6th inf.*
M. W. Batman, *lieut. 6th inf.*
Levi Nute, *lieut. U. S. A.*
Wm. S. Harney, *lieut. 1st inf.*
Jas. W. Kingsbury, *lieut. 1st reg. inf.*
Wm. Armstrong, *capt. 6th reg. inf.*
S. W. Kearny, *br. maj. 1st inf.*
H. Leavenworth, *lt. col. 6th inf.*
J. V. Swearingen, *lieut. 1st inf.*
R. M. Coleman, *U. S. A.*
C. Harris, *lieut. 1st inf.*
Wm. Day, *lieut. U. S. A.*
S. Wragg, *adj. 1st reg. inf.*
Thos. P. Gwynn, *lieut. 1st inf.*

CHAPTER XXXV.

Treaty with the Hunkpapas band of the Sioux tribe of Indians.

Treaty with
the Hunkpa-
pas.

No. 1. For the purpose of perpetuating the friendship which has heretofore existed, as also to remove all future cause of discussion or dissension, as it respects trade and friendship between the United States and their citizens, and the Hunkpapas band of the Sioux tribe of Indians, the president of the United States of America, by brigadier-general Henry Atkinson, of the United States' army, and major Benjamin O'Fallon, Indian agent, with full powers and authority, specially appointed and commissioned for that purpose, of the one part, and the undersigned chiefs, head men, and warriors of the said Hunkpapas band of Sioux Indians, on behalf of their band, of the other part, have made and entered into the following articles and conditions; which, when ratified by the president of the United States, by and with the advice and consent of the senate, shall be binding on both parties—to wit:

The tribe
within the li-
mits of the U.
S. and under
their protec-
tion. U. S. to
regulate trade
with them.

Art. 1. It is admitted by the Hunkpapas band of Sioux Indians, that they reside within the territorial limits of the United States, acknowledge their supremacy, and claim their protection.—The said band also admit the right of the United States to regulate all trade and intercourse with them.

Acts of kind-
ness to be ex-
tended to
them.

Art. 2. The United States agree to receive the Hunkpapas band of Sioux into their friendship, and under their protection, and to extend to them, from time to time, such benefits and acts of kindness as may be convenient, and seem just and proper to the president of the United States.

Places for
trade with
them to be de-
signated by
the president
of the U. S.

Art. 3. All trade and intercourse with the Hunkpapas band shall be transacted at such place or places as may be designated and pointed out by the president of the United States, through his agents; and none but American citizens, duly authorized by the United States, shall be admitted to trade or hold intercourse with said band of Indians.

Licensed trad-
ers to be ad-
mitted among
them, to whom
they are to
extend pro-
tection.

Art. 4. That the Hunkpapas band may be accommodated with such articles of merchandisc, &c. as their necessities may demand, the United States agree to admit and license traders to hold intercourse with said band, under mild and equitable regulations: in consideration of which, the Hunkpapas band bind themselves to extend protection to the persons and the property of the traders, and the persons legally employed under them, whilst they remain within the limits of their particular district of country. And the said Hunkpapas band further agree, that if any foreigner or other person, not legally authorized by the United States, shall come into their district of country, for the purposes of trade or other views, they will apprehend such person or persons, and deliver him or them to some United States' superintendent or agent of Indian affairs, or to the commandant of the nearest military post, to be dealt with according to law. And they further agree to give safe conduct to all persons who may be legally authorized by the United States to pass through their country,

Foreigners not
to be admitted
for any pur-
pose.

Protection to
be given to all
persons sent

and to protect in their persons and property all agents or other persons sent by the United States to reside temporarily among them. among them by the U. S.

Art. 5. That the friendship which is now established between the United States and the Hunkpapas band should not be interrupted by the misconduct of individuals, it is hereby agreed, that for injuries done by individuals, no private revenge or retaliation shall take place, but instead thereof, complaints shall be made, by the party injured, to the superintendent or agent of Indian affairs or other person appointed by the president; and it shall be the duty of said chiefs, upon complaint being made as aforesaid, to deliver up the person or persons against whom the complaint is made, to the end that he or they may be punished, agreeably to the laws of the United States. Private revenge for injuries prohibited.

And, in like manner, if any robbery, violence, or murder, shall be committed on any Indian or Indians belonging to the said band, the person or persons so offending shall be tried, and if found guilty, shall be punished in like manner as if the injury had been done to a white man. And it is agreed, that the chiefs of said Hunkpapas bands shall, to the utmost of their power, exert themselves to recover horses or other property, which may be stolen or taken from any citizen or citizens of the United States, by any individual or individuals of said band; and the property so recovered shall be forthwith delivered to the agents or other person authorized to receive it, that it may be restored to the proper owner. Mode of proceeding in case of injury done to either party.

And the United States hereby guarantee to any Indian or Indians of said band, a full indemnification for any horses or other property which may be stolen from them by any of their citizens: provided, that the property stolen cannot be recovered, and that sufficient proof is produced that it was actually stolen by a citizen of the United States. Property stolen from citizens to be restored.

And the said Hunkpapas band engage, on the requisition or demand of the president of the United States, or of the agents, to deliver up any white man resident among them. Indemnity for property stolen from Indians guaranteed.

The band to deliver up white men among them.

Art. 6. And the chiefs and warriors, as aforesaid, promise and engage that their band will never, by sale, exchange, or as presents, supply any nation or tribe of Indians, not in amity with the United States, with guns, ammunition, or other implements of war. Hostile Indians not to be furnished by them with implements of war.

Done at the Auricara Village, this sixteenth day of July, A. D. 1825, and of the independence of the United States the fiftieth.

In testimony whereof, the said commissioners, Henry Atkinson and Benjamin O'Fallon, and the chiefs, head men, and warriors of the Hunkpapas tribe of Indians, have hereunto set their hands and affixed their seals.

H. Atkinson, br. gen. U. S. army,
Benj. O'Fallon, U. S. agt. Ind. aff.

Mato-che-gal-lah, Little White Bear, x
 Cha-sa-wa-ne-che, the One that has no name, x
 Tah-hah-nee-ah, the One that scares the game, x
 Taw-ome-nee-o-tah, the Womb, x
 Mah-to-wee-tah, the White Bear's face, x
 Pah-sal-sa, the Auricara, x
 Ha-hah-kus-ka, the White Elk, x

In presence of

A. L. Langham, *sec. to the commission*,
 H. Leavenworth, *col. U. S. army*,
 P. Wilson, *U. S. S. Ind. agt.*
 G. H. Kennerly, *U. S. S. Ind. agt.*
 G. C. Spencer, *capt. 1st inf*
 John Gale, *surgeon U. S. army*,
 R. M. Coleman, *U. S. A.*
 John Gantt, *capt. 6th inf.*
 J. Rogers, *lieut. 6th inf.*
 D. Ketchum, *major U. S. army*,
 Jas. W. Kingsbury, *lieut. 1st regt. I.*
 Thomas Noel, *lieut. 6th inf.*
 R. H. Stuart, *lieut. 1st inf.*
 Levi Nute, *lieut. U. S. A.*
 Colin Campbell.

CHAPTER XXXVI.

Treaty with the Ricara tribe of Indians.

Treaty with
the Ricara
tribe.

No. 1. To put an end to an unprovoked hostility on the part of the Ricara tribe of Indians against the United States, and to restore harmony between the parties, the president of the United States, by brigadier-general Henry Atkinson, of the United States' army, and major Benjamin O'Fallon, Indian agent, commissioners duly appointed and commissioned to treat with the Indian tribes beyond the Mississippi river, give peace to the said Ricara tribe; the chiefs and warriors thereof having first made suitable concessions for the offence. And for the purpose of removing all further or future cause of misunderstanding as respects trade and friendly intercourse between the parties, the above named commissioners on the part of the United States, and the undersigned chiefs and warriors of the Ricara tribe of Indians on the part of said tribe, have made and entered into the following articles and conditions, which, when ratified by the president of the United States, by and with the advice and consent of the senate, shall be binding on both parties—to wit:

To put an end
to hostilities
and remove
causes of mis-
understand-
ing.

Peace be-
tween the U.
S. and the Ri-
cara tribe.

Art. 1. Henceforth there shall be a firm and lasting peace between the United States and the Ricara tribe of Indians; and a friendly intercourse shall immediately take place between the parties.

The tribe
within limits
of the U. S.
and U. S. to
regulate trade.

Art. 2. It is admitted by the Ricara tribe of Indians, that they reside within the territorial limits of the United States, acknowledge their supremacy, and claim their protection.—The said tribe also admit the right of the United States to regulate all trade and intercourse with them.

Art. 3. The United States agree to receive the Ricara tribe of Indians into their friendship, and under their protection, and to extend to them, from time to time, such benefits and acts of kindness as may be convenient, and seem just and proper to the president of the United States.

Acts of kindness to be extended to the tribe.

Art. 4. All trade and intercourse with the Ricara tribe shall be transacted at such place or places as may be designated and pointed out by the president of the United States, through his agents; and none but American citizens, duly authorized by the United States, shall be admitted to trade or hold intercourse with said tribe of Indians.

Places of trade with them to be designated by the president of the U. S.

Art. 5. That the Ricara tribe may be accommodated with such articles of merchandise, &c. as their necessities may demand, the United States agree to admit and license traders to hold intercourse with said tribe, under mild and equitable regulations: in consideration of which, the Ricara tribe bind themselves to extend protection to the persons and the property of the traders, and the persons legally employed under them, while they remain within the limits of their district of country. And the said Ricara tribe further agree, that if any foreigner or other person, not legally authorized by the United States, shall come into their district of country, for the purposes of trade or other views, they will apprehend such person or persons, and deliver him or them to some United States' superintendent or agent of Indian affairs, or to the commandant of the nearest military post, to be dealt with according to law. And they further agree to give safe conduct to all persons who may be legally authorized by the United States to pass through their country, and to protect in their persons and property all agents or other persons sent by the United States to reside temporarily among them.

Licensed traders to be admitted, and protected.

Foreigners not to be admitted on any account.

All persons authorized by the U. S. to be protected.

Art. 6. That the friendship which is now established between the United States and the Ricara tribe, shall not be interrupted by the misconduct of individuals, it is hereby agreed, that for injuries done by individuals, no private revenge or retaliation shall take place, but instead thereof, complaints shall be made, by the party injured, to the superintendent or agent of Indian affairs or other person appointed by the president; and it shall be the duty of the said chiefs, upon complaint being made as aforesaid, to deliver up the person or persons against whom the complaint is made, to the end that he or they may be punished, agreeably to the laws of the United States. And, in like manner, if any robbery, violence, or murder, shall be committed on any Indian or Indians belonging to said tribe, the person or persons so offending shall be tried, and if found guilty, shall be punished in like manner as if the injury had been done to a white man. And it is agreed, that the chiefs of the said Ricara tribe shall, to the utmost of their power

Private revenge prohibited.

Mode of proceeding in case of injury done to either party.

Property stolen from citizens

zens to be re-
stored.

Indemnity for
property stol-
en from Indi-
ans guaran-
teed.

White men to
be delivered
up.

The tribe not-
to furnish hos-
tile Indians
with imple-
ments of war.

er, exert themselves to recover horses or other property, which may be stolen or taken from any citizen or citizens of the United States, by any individual or individuals of said tribe; and the property so recovered shall be forthwith delivered to the agents or other person authorized to receive it, that it may be restored to the proper owner. And the United States hereby guarantee to any Indian or Indians of said tribe, a full indemnification for any horses or other property which may be stolen from them by any of their citizens: provided, that the property so stolen cannot be recovered, and that sufficient proof is produced that it was actually stolen by a citizen of the United States. And the said Ricara tribe engage, on the requisition or demand of the president of the United States, or of the agents, to deliver up any white man resident among them.

Art. 7. And the chiefs and warriors, as aforesaid, promise and engage that their tribe will never, by sale, exchange, or presents, supply any nation, tribe, or bands of Indians, not in amity with the United States, with guns, ammunition, or other implements of war.

Done at the Ricara village, this eighteenth day of July, A. D. 1825, and of the independence of the United States the fiftieth.

In testimony whereof, the said commissioners, Henry Atkinson and Benjamin O'Fallon, and the chiefs, head men, and warriors of the Ricara tribe of Indians, have hereunto set their hands and affixed their seals.

H. Atkinson, *br. gen. U. S. army,*
Benj. O'Fallon, *U. S. agt. Ind. aff.*

CHIEFS.

Stan-au-pat, the bloody hand, X
Ca-car-we-ta, the little bear, X
Scar-e-naus, the skunk, X
Chan-son-nah, the fool chief, X
Chan-no-te-ne-na, the chief that is afraid, X
Coon-ca-ne-nos-see, the bad bear, X

WARRIORS.

En-hah-pe-tar, the two nights, X
Ca-ca-ne-show, the crow chief, X
Pah-can-wah, the old head, X
Wah-ta-an, the light in the night, X
Hon-ch cooh, the buffalo that urinates and smells it, X
Ta-hah-son, the lip of the old buffalo, X
Coo-wooh-war-e-scoon-hoon, the long haired bear, X
Ne-sha-non-nack, the chief by himself, X
Ah-ree-squish, the buffalo that has horns, X
Ou-cous-non-nair, the good buffalo, X
Nack-sa-nou-wees, the dead heart, X
Pah-too-car-rah, the man that strikes, X
Toon-high-ouh, the man that runs, X
Car-car-wee-as, the heart of the crow X

In the presence of

A. L. Langham, *sec. to the commission*,
 H. Leavenworth, *col. U. S. army*,
 S. W. Kearny, *bt. maj. 1st inf.*
 D. Ketchum, *maj. U. S. army*,
 Wm. Armstrong, *capt. 6th reg. inf.*
 B. Riley, *capt. 6th inf.*
 John Gantt, *capt. 6th inf.*
 G. C. Spencer, *capt. 1st inf.*
 R. B. Mason, *capt. 1st inf.*
 W. S. Harney, *lt. 1st inf.*
 John Gale, *surg. U. S. A.*
 H. M. Coleman, *U. S. A.*
 S. Wragg, *adjt. 1st reg. inf.*
 S. Mac Ree, *lieut. A. Camp.*
 R. Holmes, *lt. 6th inf.*
 R. H. Stuart, *lieut. 1st inf.*
 Jas. W. Kingsbury, *lt. 1st. regt. I.*
 Levi Nute, *lt. U. S. A.*
 W. Harris, *lieut. 1st. inf.*
 G. H. Kennerly, *U. S. S. Ind. agt.*
 P. Wilson, *U. S. S. Ind. agt.*
 Antoine Garreau, his x mark, *interpreter*,
 Joseph Garreau, his x mark, *interpreter*,
 Pierre Garreau, his x mark.

CHAPTER XXXVII.

Treaty with the Mandan tribe of Indians.

¶ 1. Whereas acts of hostility have been committed by some restless men of the Mandan tribe of Indians, upon some of the citizens of the United States: therefore, to put a stop to any further outrages of the sort; and to establish a more friendly understanding between the United States and the said Mandan tribe, the president of the United States, by Henry Atkinson, brigadier-general of the United States army, and major Benjamin O'Fallon, Indian agent, commissioners duly appointed and commissioned to treat with the Indian tribes beyond the Mississippi river, forgive the offences which have been committed; the chiefs and warriors having first made satisfactory explanations touching the same. And for the purpose of removing all future cause of misunderstanding as respects trade and friendly intercourse between the parties, the above named commissioners on the part of the United States, and the undersigned chiefs and warriors of the Mandan tribe of Indians on the part of said tribe, have made and entered into the following articles and conditions, which, when ratified by the president of the United States, by and with the advice and consent of the senate, shall be binding on both parties—to wit:

Treaty with
the Mandan
tribe.

To put an end
to hostility and
remove all
cause of mis-
understand-
ing.

Art. 1. Henceforth there shall be a firm and lasting peace between the United States and the Mandan tribe of Indians; and a friendly intercourse shall immediately take place between the parties.

Firm and
lasting peace

Art. 2. It is admitted by the Mandan tribe of Indians, that they reside within the territorial limits of the United States, acknowledge their supremacy, and claim their protection.—The said tribe also admit the right of the United States to regulate all trade and intercourse with them.

Tribe within
the limits of
the U. S.
U. S. to regu-
late trade with
them.

Acts of kindness to be extended to the tribe.

Art. 3. The United States agree to receive the Mandan tribe of Indians into their friendship, and under their protection, and to extend to them, from time to time, such benefits and acts of kindness as may be convenient, and seem just and proper to the president of the United States.

Places of trade to be designated by the president of the United States.

Art. 4. All trade and intercourse with the Mandan tribe shall be transacted at such place or places as may be designated and pointed out by the president of the United States, through his agents; and none but American citizens, duly authorized by the United States, shall be admitted to trade or hold intercourse with said tribe of Indians.

Licensed traders to be admitted in the tribe and protected by it.

Art. 5. That the Mandan tribe may be accommodated with such articles of merchandise, &c. as their necessities may demand, the United States agree to admit and license traders to hold intercourse with said tribe, under mild and equitable regulations: in consideration of which, the Mandan tribe bind themselves to extend protection to the persons and the property of the traders, and the persons legally employed under them, whilst they remain within the limits of their district of country. And the said Mandan tribe further agree, that if any foreigner or other person, not legally authorized by the United States, shall come into their district of country, for the purposes of trade or other views, they will apprehend such person or persons, and deliver him or them to some United States' superintendent or agent of Indian affairs, or to the commandant of the nearest military post, to be dealt with according to law. And they further agree to give safe conduct to all persons who may be legally authorized by the United States to pass through their country, and to protect in their persons and property all agents or other persons sent by the United States to reside temporarily among them.

Foreigners not to be admitted on any account.

Persons authorized by the U. S. to be protected.

Private revenge prohibited.

Art. 6. That the friendship which is now established between the United States and the Mandan tribe, shall not be interrupted by the misconduct of individuals, it is hereby agreed, that for injuries done by individuals, no private revenge or retaliation shall take place, but instead thereof, complaints shall be made, by the party injured, to the superintendent or agent of Indian affairs or other person appointed by the president, and it shall be the duty of the said chiefs, upon complaint being made as aforesaid, to deliver up the person or persons against whom the complaint is made, to the end that he or they may be punished, agreeably to the laws of the United States. And, in like manner, if any robbery, violence, or murder, shall be committed on any Indian or Indians belonging to said tribe, the person or persons so offending shall be tried, and if found guilty, shall be punished in like manner as if the injury had been done to a white man. And it is agreed, that the chiefs of the said Mandan tribe shall, to the utmost of their power.

Mode of proceeding in case of injury done to either party.

Property stolen from citizens.

exert themselves to recover horses or other property, which may be stolen or taken from any citizen or citizens of the United States, by any individual or individuals of said tribe; and the property so recovered shall be forthwith delivered to the agents or other person authorized to receive it, that it may be restored to the proper owner. And the United States hereby guarantee to any Indian or Indians of said tribe, a full indemnification for any horses or other property which may be stolen from them by any of their citizens: provided, that the property so stolen cannot be recovered, and that sufficient proof is produced that it was actually stolen by a citizen of the United States. And the said Mandan tribe engage, on the requisition or demand of the president of the United States, or of the agents, to deliver up any white man resident among them.

zens to be restored.

Indemnity for property stolen from the Indians guaranteed.

White men to be delivered up.

Art. 7. And the chiefs and warriors, as aforesaid, promise and engage that their tribe will never, by sale, exchange, or as presents, supply any nation, tribe, or band of Indians, not in amity with the United States, with guns, ammunition, or other implements of war.

The tribe not to furnish hostile Indians with implements of war.

Done at the Mandan Village, this thirtieth day of July, A. D. 1825, and of the independence of the United States the fiftieth.

In testimony whereof, the commissioners, Henry Atkinson and Benjamin O'Fallon, and the chiefs and warriors of the Mandan tribe of Indians, have hereunto set their hands and affixed their seals.

H. Atkinson, br. gen. U. S. army,
Benj. O'Fallon, U. S. agt. Ind. aff.

CHIEFS.

Mat-sa-to-pas-lah-hah-pah, the chiefs of four men,	x
San-jah-mat-sa-eta, the wolf chiefs,	x
Ah-ra-na-shis, the one that has no arm,	x
Bot-sa-a-pa, the color of the wolf,	x
Con-ke-sheesse, the good child,	x
Lah-pa-see-ta-re-tah, the bear that does not walk,	x
Par-res-kah-cah-rush-ta, the little crow,	x

WARRIORS, 1st Village.

Obah-chash, the broken leg,	x
La-pet-see-to-a-pus, the four bears,	x
Sah-cou-ga-rah-lah-pet-see, the bird of the bears,	x
She-ca-aga-mat-sa-et-see, the little young man that is a chief,	x
Kee-re-pee-ah-pa-rush, the neck of the buffalo,	x
Bo-si-e-ree-bees, the little wolf that sleeps,	x

2d Village.

San-jah-ca-ho ka, the wolf that lies,	x
Ede-shu-bee, the fat of the paunch,	x
Pa-res-ca-a-huss, the band of crows,	x
Ba-rah-rah-ca-tah, the broken pot,	x

Me-ra-pa-sha-po, the five beavers,
Bout-sa-ca-ho-ka, the crouching prairie wolf,

x
y

In the presence of

A. L. Langham, *sec. to the commission*,
H. Leavenworth, *col. U. S. army*,
S. W. Kearny, *bt. maj. 1st inf.*
D. Ketchum, *maj. U. S. army*,
B. Riley, *capt. 6th inf.*
P. Wilson, *U. S. S. Ind. agent*,
S. Mac Ree, *lieut. A camp*,
R. B. Mason, *capt. 1st inf.*
G. C. Spencer, *capt. 1st inf.*
John Gantt, *capt. 6th inf.*
Thomas Noel, *lieut. 6th inf.*
R. Holmes, *lieut. 6th inf.*
J. Rogers, *lieut. 6th inf.*
Jas. W. Kingsbury, *lieut. 1st regt. I.*
Levi Nute, *lieut. 6th inf.*
S. W. Ragg, *adj. 1st regt. inf.*
M. W. Batman, *lieut. 6th inf.*
Thomas P. Gwynne, *lieut. 1st inf.*
George C. Huwer, *lieut. 6th inf.*
William Day, *lieut. 1st inf.*
John Gale, *surg. U. S. A.*
R. M. Coleman, *A. surg. U. S. A.*
W. S. Harney, *lieut. 1st inf.*
J. C. Culbertson,
G. H. Kennerly, *U. S. S. Ind. agt.*
A. S. Miller, *lieut 1st inf.*
Colin Campbell,
Touissant Chaboneau, his x mark, *interpreter*

CHAPTER XXXVIII.

Treaty with the Belantse-etea, or Minnetaree tribe of Indians.

Treaty with
the Belantse-
etea or Min-
netaree tribe.

No. 1. Whereas, acts of hostility have been committed, by some restless men of the Belantse-etea or Minnetaree tribe of Indians, upon some of the citizens of the United States: therefore, to put a stop to any further outrages of the sort, and to establish a more friendly understanding between the United States and the said Belantse-etea or Minnetaree tribe, the president of the United States, by Henry Atkinson, brigadier-general of the United States' army, and major Benjamin O'Fallon, Indian agent, commissioners duly appointed and commissioned to treat with the Indian tribes beyond the Mississippi river, forgive the offences which have been committed, the chiefs and warriors having first made satisfactory explanations touching the same. And for the purpose of removing all future cause of misunderstanding, as respects trade and friendly intercourse between the parties, the above named commissioners, on the part of the United States, and the undersigned chiefs and warriors of the Belantse-etea or Minnetaree tribe of Indians, on the part of said tribe, have made and entered into the following articles and conditions; which, when ratified by the president of the United States, by and with the advice and consent of the senate, shall be binding on both parties—to wit:

To put an end
to hostility and
restore friend-
ly understand-
ing.

Firm and last-
ing peace.

Art. 1. Henceforth there shall be a firm and lasting peace between the United States and the Belantse-etea or Minnetaree

tribe of Indians; and a friendly intercourse shall immediately take place between the parties.

Art. 2. It is admitted by the Belantse-etea or Minnetaree tribe of Indians, that they reside within the territorial limits of the United States, acknowledge their supremacy, and claim their protection.—The said tribe also admit the right of the United States to regulate all trade and intercourse with them.

Tribe within the limits of U. States.

U. S. to regulate trade.

Art. 3. The United States agree to receive the Belantse-etea or Minnetaree tribe of Indians into their friendship, and under their protection, and to extend to them, from time to time, such benefits and acts of kindness as may be convenient, and seem just and proper to the president of the United States.

Acts of kindness to be extended to the tribe.

Art. 4. All trade and intercourse with the Belantse-etea or Minnetaree tribe shall be transacted at such place or places as may be designated and pointed out by the president of the United States, through his agents; and none but American citizens, duly authorized by the United States, shall be admitted to trade or hold intercourse with said tribe of Indians.

Places for trade to be designated by the president of the U. S.

Art. 5. That the Belantse-etea or Minnetaree tribe may be accommodated with such articles of merchandise, &c. as their necessities may demand, the United States agree to admit and license traders to hold intercourse with said tribe, under mild and equitable regulations: in consideration of which, the Belantse-etea or Minnetaree tribe bind themselves to extend protection to the persons and the property of the traders, and the persons legally employed under them, whilst they remain within the limits of their district of country. And the said Belantse-etea or Minnetaree tribe further agree, that if any foreigner or other person, not legally authorized by the United States, shall come into their district of country, for the purposes of trade or other views, they will apprehend such person or persons, and deliver him or them to some United States' superintendent or agent of Indian affairs, or to the commandant of the nearest military post, to be dealt with according to law. And they further agree to give safe conduct to all persons who may be legally authorized by the United States to reside temporarily among them.

Licensed traders to be admitted and protected.

Foreigners not to be admitted for any purpose.

Authorized persons to be protected.

Art. 6. That the friendship which is now established between the United States and the Belantse-etea or Minnetaree tribe, shall not be interrupted by the misconduct of individuals, it is hereby agreed, that for injuries done by individuals, no private revenge or retaliation shall take place, but instead thereof, complaints shall be made, by the party injured, to the superintendent or agent of Indian affairs or other person appointed by the president; and it shall be the duty of the said chiefs, upon complaint being made as aforesaid, to deliver up the person or persons against whom the complaint is made, to the end that he or they may be punished, agreeably to the laws

Private revenge prohibited.

Mode of proceeding in case of injury done to either party.

Property stolen from citizens to be restored.

Indemnity for property stolen from Indians guaranteed.

White men in the tribe to be delivered up.

Tribe not to furnish implements of war to hostile Indians.

of the United States. And, in like manner, if any robbery, violence, or murder, shall be committed on any Indian or Indians belonging to said tribe, the person or persons so offending shall be tried, and if found guilty, shall be punished in like manner as if the injury had been done to a white man. And it is agreed, that the chiefs of the said Belantse-etea or Minnetaree tribe shall, to the utmost of their power, exert themselves to recover horses or other property, which may be stolen or taken from any citizen or citizens of the United States, by any individual or individuals of said tribe; and the property so recovered shall be forthwith delivered to the agents or other person authorized to receive it, that it may be restored to the proper owner. And the United States hereby guarantee to any Indian or Indians of said tribe, a full indemnification for any horses or other property which may be stolen from them by any of their citizens: provided, that the property so stolen cannot be recovered, and that sufficient proof is produced that it was actually stolen by a citizen of the United States. And the said Belantse-etea or Minnetaree tribe engage, on the requisition or demand of the president of the United States, or of the agents, to deliver up any white man resident among them.

Art. 7. And the chiefs and warriors, as aforesaid, promise and engage that their tribe will never, by sale, exchange, or as presents, supply any nation, tribe, or band of Indians, not in amity with the United States, with guns, ammunition, or other implements of war.

Done at the Lower Mandan Village, this thirtieth day of July, A. D. 1825, and of the independence of the United States the fiftieth.

In testimony whereof, the commissioners, Henry Atkinson and Benjamin O'Fallon, and the chiefs and warriors of the said Belantse-etea or Minnetaree tribe of Indians, have hereunto set their hands and affixed their seals.

H. Atkinson, br. gen. U. S. army,
Benj. O'Fallon, U. S. agt. Ind. aff.

CHIEFS.

Shan-sa-hat-say-e-sec, the wolf chief,	x
E-re-ah-ree, the one that makes the road,	x
Pas-ca-ma-e-ke-ree, the crow that looks,	x
E-tah-me-nah-ga-e-shee, the guard of the red arrows,	x
Mah-shu-ca-lah-pah-sec, the dog bear,	x
Oh-sha-lah-ska-a-tce,	x
Kah-re-pe-shu pe sha, the black buffalo,	x
Ah-too-pah-shee-pe-sha, the black mocasins,	x
Mah-buk-sho-ok-oe-ah, the one that carries the snake,	x

WARRIORS.

At-ca-chis, the back lodges,	x
Nah-rah-ah-a-pa, the colour of the hair,	x

Pa-ta-e-shee-as, the wicked cow,	x
Kee-re-pee-ah-too, the buffalo head,	x
Lah-pa-ta-see-e-ta, the bear's tail,	x
Pa-ta-lah-kee, the white cow,	x
Ah-sha-re-te-ah, the big thief,	x
Bo-sa-nah-a-me, the three wolves,	x
San jah-oe-tee, the wolf that has no tail,	x
Sa-ga-e-rec-shus, the finger that stinks,	x
Me-ah-cah-ho ka, the woman that lies,	x
Ah-mah-a-ta, the Missouri,	x
E-sha-kec-te-ah, the big fingers,	x
Mah-shu-kah-e-te-ah, the big dog,	x
Be-ra-ka-ra-ah, the rotten wood,	x
E-ta-ro-sha-pa, the big brother,	x

In the presence of

A. L. Langham, *sec. to the commission*,
 A. Leavenworth, *col. U. S. army*,
 G. H. Kennerly, *U. S. sub Ind. agt.*
 John Gale, *surg. U. S. A.*
 D. Ketchum, *major U. S. army*,
 John Gantt, *capt. 6th inf.*
 Wm. Day, *lieut. 1st inf.*
 R. B. Mason, *capt. 1st inf.*
 Jas. W. Kingsbury, *lieut. 1st regt. I.*
 R. Holmes, *lieut. 6th inf.*
 J. Rogers, *lieut. 6th inf.*
 W. S. Harney, *lieut. 1st inf.*
 Levi Nutc, *lieut. 6th inf.*
 B. Riley, *capt. 6th inf.*
 R. M. Coleman, *A. surg. U. S. A.*
 George C. Hutter, *lieut. 6th inf.*
 Colin Campbell,
 P. Wilson, *U. S. sub. Ind. agt.*
 Touissant Chaboneau, *interpreter*, his x mark.
 S. W. Kearny, *bt. maj. 1st inf.*
 Wm. Armstrong, *capt. 6th regt. inf.*

CHAPTER XXXIX.

Treaty with the Crow tribe of Indians.

No. 1. For the purpose of perpetuating the friendship which has heretofore Treaty with existed, as also to remove all future cause of discussion or dissension, as it the Crow respects trade and friendship between the United States and their citizens, tribe. and the Crow tribe of Indians, the president of the United States of America, by brigadier-general Henry Atkinson, of the United States' army, and major Benjamin O'Fallon, Indian agent, with full powers and authority, specially appointed and commissioned for that purpose, of the one part, and To perpetuate friendship, the undersigned chiefs, head men and warriors of the Crow tribe of Indians, on behalf of their tribe, of the other part, have made and entered into the following articles and conditions; which, when ratified by the president of the United States, by and with the advice and consent of the senate, shall be binding on both parties—to wit:

Art. 1. It is admitted by the Crow tribe of Indians, that Tribe within limits of the U. S. States. they reside within the territorial limits of the United States, acknowledge their supremacy, and claim their protection.—

- U. S. to regulate trade. The said tribe also admit the right of the United States to regulate all trade and intercourse with them.
- Acts of kindness to be extended to the tribe. *Art. 2.* The United States agree to receive the Crow tribe of Indians into their friendship, and under their protection, and to extend to them, from time to time, such benefits and acts of kindness as may be convenient, and seem just and proper to the president of the United States.
- Places of trade to be designated by the president of the United States. *Art. 3.* All trade and intercourse with the Crow tribe shall be transacted at such place or places as may be designated and pointed out by the president of the United States, through his agents; and none but American citizens, duly authorized by the United States, shall be admitted to trade or hold intercourse with said tribe of Indians.
- Licensed traders to be admitted and protected. *Art. 4.* That the Crow tribe may be accommodated with such articles of merchandise, &c. as their necessities may demand, the United States agree to admit and license traders to hold intercourse with said tribe, under mild and equitable regulations: in consideration of which, the Crow tribe bind themselves to extend protection to the persons and the property of the traders, and the persons legally employed under them, whilst they remain within the limits of their district of country. And the said Crow tribe further agree, that if any foreigner or other person, not legally authorized by the United States, shall come into their district of country, for the purposes of trade or other views, they will apprehend such person or persons, and deliver him or them to some United States' superintendent or agent of Indian affairs, or to the commandant of the nearest military post, to be dealt with according to law. And they further agree to give safe conduct to all persons who may be legally authorized by the United States to pass through their country, and to protect in their persons and property all agents or other persons sent by the United States to reside temporarily among them: and that they will not, whilst on their distant excursions, molest or interrupt any American citizen or citizens, who may be passing from the United States to New Mexico, or returning from thence to the United States.
- Foreigners not to be admitted in the tribe for any purpose. *Art. 5.* That the friendship which is now established between the United States and the Crow tribe, should not be interrupted by the misconduct of individuals, it is hereby agreed, that for injuries done by individuals, no private revenge or retaliation shall take place, but instead thereof, complaints shall be made, by the party injured, to the superintendent or agent of Indian affairs or other person appointed by the president: and it shall be the duty of said chiefs, upon complaint being made as aforesaid, to deliver up the person or persons against whom the complaint is made, to the end that he or they may be punished, agreeably to the laws of the United States. And, in like manner, if any robbery, violence, or murder.
- Persons authorized by the U. S. to be protected.
- Citizens trading to New Mexico not to be molested.
- Private revenge prohibited.
- Mode of proceeding in case of injury done to either party.

shall be committed on any Indian or Indians belonging to the said tribe, the person or persons so offending shall be tried, and if found guilty, shall be punished in like manner as if the injury had been done to a white man. And it is agreed, that the chiefs of said Crow tribe shall, to the utmost of their power, exert themselves to recover horses or other property, which may be stolen or taken from any citizen or citizens of the United States, by any individual or individuals of said tribe; and the property so recovered shall be forthwith delivered to the agents or other person authorized to receive it, that it may be restored to the proper owner. And the United States hereby guarantee to any Indian or Indians of said tribe, a full indemnification for any horses or other property which may be stolen from them by any of their citizens: provided, that the property stolen cannot be recovered, and that sufficient proof is produced that it was actually stolen by a citizen of the United States. And the said Crow tribe engage, on the requisition or demand of the president of the United States, or of the agents, to deliver up any white man resident among them.

Property stolen from citizens to be restored.

Indemnity for property stolen from Indians guaranteed.

White men in the tribe to be delivered up.

Art. 6. And the chiefs and warriors, as aforesaid, promise and engage that their tribe will never, by sale, exchange, or as presents, supply any nation, tribe, or band of Indians, not in amity with the United States, with guns, ammunition, or other implements of war.

Implements of war not to be furnished to hostile Indians.

Done at the Mandan Village, this fourth day of August, A. D. 1825, and of the independence of the United States the fiftieth.

In testimony whereof, the said commissioners, Henry Atkinson and Benjamin O'Fallon, and the chiefs and warriors of the said tribe, have hereunto set their hands, and affixed their seals.

H. Atkinson, br. gen. U. S. army,
Benj. O'Fallon, U. S. agt. Ind. aff.

CHIEFS.

E-she-huns-ka, or the Long Hair,	x
She-wo-cub-bish, one that sings bad,	x
Har-rar-shash, one that rains,	x
Chay-ta-pah-ha, Wolf's Paunch,	x
Huch-che-rach, Little Black Dog,	x
Mah-pitch, Bare Shoulder,	x
Esh-ca-ca-mah-hoo, the Standing Lance,	x
Che-rep-con-nes-ta-chca, the Little White Bull,	x
Ah-mah-shay-she-ra, the Yellow Big Belly,	x
Co-tah-bah-sah, the One that Runs,	x
Bah-cha-na-mach, the One that sits in the Pine,	x
He-ran-dah-pah, the One that ties his hair before,	x
Bes-ca-bar-ru-sha, the Dog that eats,	x
Nah-puch-kia, the Little One that holds the stick in his mouth,	

Bah-da-ah-chan-dah, the one that jumps over every
 person,
 Mash-pah-hash, the one that is not right,

In presence of

A. L. Langham, *secretary to the commission*,
 H. Leavenworth, *col. U. S. army*,
 S. W. Kearny, *br. maj. 1st inf.*
 D. Ketchum, *major U. S. army*,
 R. B. Mason, *capt. 1st inf.*
 G. C. Spencer, *capt. 1st inf.*
 John Gantt, *captain 6th inf.*
 Thos. P. Gwynne, *lieut. 1st inf.*
 S. Mac Ree, *lieut. and aid de camp*,
 Thomas Noel, *lieut. 6th inf.*
 William L. Harris, *1st inf.*
 John Gale, *surgeon U. S. army*,
 J. V. Swearengen, *lieut. 1st inf.*
 R. Holmes, *lieut. 6th inf.*
 M. W. Batman, *lieut. 6th inf.*
 R. M. Coleman, *U. S. A.*
 J. Rogers, *lieut. 6th inf.*
 Wm. Day, *lieut. 1st inf.*
 G. H. Kennerly, *U. S. S. Ind. agent*,
 B. Riley, *captain 6th inf.*
 Wm. S. Harney, *lieut. 1st inf.*
 James W. Kingsbury, *lieut. 1st regt. inf.*
 George C. Hutter, *lieut. 6th inf.*
 Wm. Armstrong, *capt. 6th reg. inf.*

CHAPTER XL.

SUPPLEMENTARY TO CHAPTER VII.*

Treaty with the Shawanees.

Treaty with
 the Shawanees.

No. 2. Articles of a convention made between William Clark, superintendent of Indian affairs, and the undersigned chiefs and head men of the Shawannee nation of Indians, residing within the state of Missouri, duly authorized and empowered by said nation, at the city of St. Louis, on the seventh day of November, in the year of our Lord one thousand eight hundred and twenty-five.

Shawanees
 having removed
 from lands
 near Cape Ge-
 redeau, the U.
 S. desire to in-
 demnify them.

Whereas the Shawannee Indians were in possession of a tract of land near Cape Geredeau, in the state of Missouri, settled under a permission from the Spanish government, given to the said Shawanees and Delawares by the Baron De Carondelet, on the 4th day of January, 1793, and recorded in the office of Recorder of Land Titles at St. Louis, containing about (25) twenty-five miles square, which said tract of land was abandoned by the Delawares, in the year 1815; and from which the said Shawanees, under an assurance of receiving other lands in exchange, did remove, after having made valuable and lasting

* This treaty was not ratified early enough to take its proper place in chapter 7, as No. 2.

improvements on the same, which were taken possession of by the citizens of the United States: And it being the desire of the United States fully to indemnify said tribe for all losses and injuries sustained by them by reason of such removal—the following articles have been agreed upon, between William Clark, superintendent of Indian affairs, specially authorized on the one part, and the undersigned delegates of the Shawanee tribe, residing within the state of Missouri, on the other part:

Art. 1. The Shawanee tribe do, hereby, cede and relinquish to the United States, all their claim, interest, and title, to the lands on which they settled, near Cape Geredeau, under an authority of the Spanish government as aforesaid, situate, lying, and being, between the river St. Come and Cape Geredeau, and bounded on the east by the Mississippi, and westwardly by White Water.

Title to lands at Cape Geredeau relinquished by Shawanees:

Art. 2. It is further agreed by the contracting parties, that, in consideration of the cession aforesaid, the United States do, hereby, agree to give to the Shawanee tribe of Indians, within the state of Missouri, for themselves, and for those of the same nation, now residing in Ohio, who may hereafter emigrate to the west of the Mississippi, a tract of land equal to fifty (50) miles square, situated west of the state of Missouri, and within the purchase lately made from the Osages, by treaty bearing date the second day of June, 1825, and within the following boundaries: Commencing at a point (2) two miles north-west of the south-west corner of the state of Missouri; from thence, north, (25) twenty-five miles; thence, west, (100) one hundred miles; thence, south, (25) twenty-five miles; thence, east, (100) one hundred miles, to the place of beginning. But, whereas the said Shawanee tribe had valuable and lasting improvements within the tract of land hereby ceded, and moreover will have to incur expenses in their removal; it is further stipulated, that, for the purpose of rendering a fair equivalent for the losses and inconveniences which said tribe will sustain by removal, and to enable them to obtain supplies in their new settlements, the United States agree to pay to the tribe emigrating from the lands herein ceded, the sum of fourteen thousand dollars, which amount shall be paid to said party of the second part, as soon as practicable after the ratification of this treaty; five thousand dollars of which amount shall be furnished in domestic animals, implements of husbandry, and provisions, as soon as the said tribe remove upon the lands assigned them.

U. States give to Shawanees 50 miles square of land west of Missouri.

Shawanees to be paid for losses and inconvenience of removal;

And to be furnished with domestic animals.

Art. 3. It is further stipulated, that a deputation of the said parties of the second part may be sent to explore the lands assigned to them in the preceding article; and if the same be not acceptable to them, upon an examination of the same, which shall be had, and made known to the superintendent of Indian

Deputies to be sent by the tribe to explore lands.

affairs at St. Louis, on or before April next, who shall, in lieu thereof, assign to them an equal quantity of land, to be selected on the Kansas river, and laid off either south or north of that river, and west of the boundary of Missouri, not reserved or ceded to any other tribe.

Claims of Shawanees against citizens to be paid.

Blacksmith to be supported.

Tools and iron to be furnished.

Friendship renewed.

Treaty to take effect when ratified.

Art. 4. It appearing that the Shawanee Indians have various claims against the citizens of the United States to a large amount, for spoliations of various kinds, but which they have not been able to support by the testimony of white men; the United States, in order to a final settlement of all such claims, do hereby agree to pay to the Shawanee nation, the sum of (11,000) eleven thousand dollars, to be distributed by them in such way as may be deemed equitable; and to support and keep a blacksmith for their use, on the lands hereby assigned, for the term of five years, or as long as the president may deem advisable; and it is further stipulated, that the United States shall furnish for the use of the Shawanees, the tools necessary for the blacksmith's shop, and (300) three hundred pounds of iron annually, to be furnished at the expense of the United States.

Art. 5. The friendship heretofore existing between the United States and the Shawanee nation is hereby renewed and perpetuated.

Art. 6. These articles shall take effect, and become obligatory on the contracting parties, so soon as the same shall be ratified by the president, by and with the advice and consent of the senate of the United States.

In testimony whereof, the said William Clark, and the said delegates of the Shawanee nation, have hereunto set their hands, at the city of St. Louis, the seventh day of November, one thousand eight hundred and twenty-five.

William Clark,
Wawelainni, his x mark,
Kishkalwa, his x mark,
Maywathekcha, his x mark,
Capt. Reed, or Pathecoussa, his x mark,
Nelawachika, his x mark,
Waquiwais, his x mark,
Napawita, his x mark,
Pcpamousse, his x mark,
Pemitacamchika, his x mark,
Peter Cornstalk, or Wyawimon, interp. his x mark,
Quamapea, his x mark,
Pelmetachemo, his x mark.

Witnesses present :

A. McNair, *U. S. Indian agent*,
R. Graham, *U. S. Indian agent*,
Pierre Menard, *sub Indian agent*,
John Campbell, *sub Indian agent*,
W. B. Alexander, *sub Indian agent*,
John F. A. Sandford,

L. Valle,
John B. Saipy,
Quatwapea, or col. Lewis, his x mark,
Wysasheka, his x mark.

[*Note*.—The Shawanees are also parties to other treaties—for which see ante, chap. 3, Nos. 3, 4, 6, 9, 12, 13, 16, 17—see also, ante, chap. 7.]

CHAPTER XLI.

SUPPLEMENTARY TO CHAPTER III.*

Treaty with the Sioux and the Chippewa, Sac and Fox, Menominie, Ioway, Sioux, Winnebago, and a portion of the Ottawa, Chippewa, and Potawatomie, tribes of Indians.

No. 21. The United States of America have seen with much regret, that wars have for many years been carried on between the Sioux and the Chippewa, and more recently between the confederated tribes of Sacs and Foxes, Chippewas, and the Sioux; and also between the Ioways and Sioux; which, if not terminated, may extend to the other tribes, and involve the Indians upon the Missouri, the Mississippi, and the Lakes, in general hostilities. In order, therefore, to promote peace among these tribes, and to establish boundaries among them and the other tribes who live in their vicinity, and thereby to remove all causes of future difficulty, the United States have invited the Chippewa, Sac and Fox, Menominie, Ioway, Sioux, Winnebago, and a portion of the Ottawa, Chippewa, and Potawatomie tribes of Indians living upon the Illinois, to assemble together, and in a spirit of mutual conciliation to accomplish these objects; and to aid therein, have appointed William Clark and Lewis Cass, commissioners on their part, who have met the chiefs, warriors, and representatives of the said tribes, and portion of tribes, at Prairie des Chiens, in the territory of Michigan, and after full deliberation, the said tribes, and portion of tribes, have agreed with the United States, and with one another, upon the following articles:

To promote peace and establish boundaries between these tribes.

Art. 1. There shall be a firm and perpetual peace between the Sioux and Chippewas: between the Sioux and the confederated tribes of Sacs and Foxes; and between the Ioways and the Sioux.

Perpetual peace.

Art. 2. It is agreed between the confederated tribes of the Sacs and Foxes, and the Sioux, that the line between their respective countries shall be as follows: Commencing at the mouth of the Upper Ioway River, on the west bank of the Mississippi, and ascending the said Ioway river, to its left fork; thence up that fork to its source; thence crossing the fork of Red Cedar River, in a direct line to the second or upper fork of the Desmoines river; and thence in a direct line to the lower fork of the Calumet river; and down that river to its juncture with the Missouri river. But the Yancton band of the Sioux tribe,

Boundary line between the Sacs and Foxes, and the Sioux.

* This treaty was not ratified until after the printing of this work had progressed too far, to admit of its taking its proper place in chap. 3, as No. 21.

being principally interested in the establishment of the line from the forks of the Desmoines to the Missouri, and not being sufficiently represented to render the definitive establishment of that line proper, it is expressly declared that the line from the forks of the Desmoines to the forks of the Calumet river, and down that river to the Missouri, is not to be considered as settled until the assent of the Yancton band shall be given thereto. And if the said band should refuse their assent, the arrangement of that portion of the boundary line shall be void, and the rights of the parties to the country bounded thereby, shall be the same as if no provision had been made for the extension of the line west of the forks of the Desmoines. And the Sacs and Foxes relinquish to the tribes interested therein, all their claim to land on the east side of the Mississippi river.

Ioways assent to the arrangement between the Sacs and Foxes, and the Sioux.

Art. 3. The Ioways accede to the arrangement between the Sacs and Foxes, and the Sioux; but it is agreed between the Ioways and the confederated tribes of the Sacs and Foxes, that the Ioways have a just claim to a portion of the country between the boundary line described in the next preceding article, and the Missouri and Mississippi; and that the said Ioways, and Sacs and Foxes, shall peaceably occupy the same, until some satisfactory arrangement can be made between them for a division of their respective claims to country.

Claim of the Ottoes not to be affected.

Art. 4. The Ottoes not being represented at this council, and the commissioners for the United States being anxious that justice should be done to all parties, and having reason to believe that the Ottoes have a just claim to a portion of the country upon the Missouri, east and south of the boundary line dividing the Sacs and Foxes and the Ioways, from the Sioux, it is agreed between the parties interested therein, and the United States, that the claim of the Ottoes shall not be affected by any thing herein contained; but the same shall remain as valid as if this treaty had not been formed.

Boundary line between the Sioux and Chippewas.

Art. 5. It is agreed between the Sioux and the Chippewas, that the line dividing their respective countries shall commence at the Chippewa river, half a day's march below the falls; and from thence it shall run to Red Cedar river, immediately below the falls; from thence to the St. Croix river, which it strikes at a place called the Standing Cedar, about a day's paddle in a canoe, above the lake at the mouth of that river; thence passing between two lakes called by the Chippewas "Green Lakes," and by the Sioux "the lakes they bury the Eagles in," and from thence to the Standing Cedar, that "the Sioux Split;" thence to Rum River, crossing it at the mouth of a small creek called Choaking creek, a long day's march from the Mississippi; thence to a point of woods that projects into the prairie, half a day's march from the Mississippi; thence in a straight line to the mouth of the first river which enters the Mississippi

on its west side above the mouth of Sac river ; thence ascending the said river (above the mouth of Sac river) to a small lake at its source ; thence in a direct line to a lake at the head of Prairie river, which is supposed to enter the Crow-wing river on its south side ; thence to Otter-tail lake Portage ; thence to said Otter-tail lake, and down through the middle thereof to its outlet ; thence in a direct line, so as to strike Buffalo river half way from its source to its mouth, and down the said river to Red river, thence descending Red river to the mouth of Outard or Goose creek : The eastern boundary of the Sioux commences opposite the mouth of Ioway river, on the Mississippi, runs back two or three miles to the bluffs, follows the bluffs, crossing Bad Axe river, to the mouth of Black river, and from Black river to half a day's march below the falls of the Chippewa river.

Art. 6. It is agreed between the Chippewas and Winnebagoes, so far as they are mutually interested therein, that the southern boundary line of the Chippewa country shall commence on the Chippewa river aforesaid, half a day's march below the falls of that river, and run thence to the source of Clear Water river, a branch of the Chippewa ; thence south to Black river ; thence to a point where the woods project into the meadows, and thence to the Plover Portage of the Ouisconsin.

Southern boundary of the Chippewa to commence on Chippewa river.

Art. 7. It is agreed between the Winnebagoes and the Sioux, Sacs and Foxes, Chippewas and Ottawas, Chippewas and Potawatomies of the Illinois, that the Winnebago country shall be bounded as follows : south easterly by Rock river, from its source near the Winnebago lake, to the Winnebago village, about forty miles above its mouth ; westerly by the east line of the tract, lying upon the Mississippi, herein secured to the Ottawa, Chippewa and Potawatomie Indians of the Illinois ; and also by the high bluff, described in the Sioux boundary, and running north to Black river ; from this point the Winnebagoes claim up Black river, to a point due west from the source of the left fork of the Ouisconsin ; thence to the source of the said fork, and down the same to the Ouisconsin ; thence down the Ouisconsin to the portage, and across the portage to Fox river ; thence down Fox river to the Winnebago lake, and to the grand Kan Kanlin, including in their claim the whole of Winnebago lake ; but, for the causes stated in the next article, this line from Black river must for the present be left indeterminate.

Boundaries of the Winnebago country.

Art. 8. The representatives of the Menominies not being sufficiently acquainted with their proper boundaries, to settle the same definitively, and some uncertainty existing in consequence of the cession made by that tribe upon Fox river and Green Bay, to the New York Indians, it is agreed between the said Menominie tribe, and the Sioux, Chippewas, Winne-

Boundaries of the Menominies not sufficiently known to be settled definitively

bagoes, Ottawa, Chippewa and Potawatomie Indians of the Illinois, that the claim of the Menominies to any portion of the land within the boundaries allotted to either of the said tribes, shall not be barred by any stipulation herein; but the same shall remain as valid as if this treaty had not been concluded.

General claim of the Menominies.

It is, however, understood that the general claim of the Menominies is bounded on the north by the Chippewa country, on the east by Green Bay and lake Michigan, extending as far south as Millawankee river, and on the west they claim to Black river.

Boundaries of the Ottawa, Chippewa, and Potawatomic country.

Art. 9. The country secured to the Ottawa, Chippewa and Potawatomic tribes of the Illinois, is bounded as follows: Beginning at the Winnebago village, on Rock river, forty miles from its mouth, and running thence down the Rock river to a line which runs from lake Michigan to the Mississippi, and with that line to the Mississippi, opposite to Rock Island; thence up that river to the United States reservation, at the mouth of the Ouisconsin; thence with the south and east lines of the said reservation to the Ouisconsin; thence, southerly, passing the heads of the small streams emptying into the Mississippi, to the Rock river at the Winnebago village. The Illinois Indians have also a just claim to a portion of the country bounded south by the Indian boundary line aforesaid, running from the southern extreme of lake Michigan, east by lake Michigan, north by the Menominie country, and north-west by Rock river. This claim is recognised in the treaty concluded with the said Illinois tribes at St. Louis, August 24, 1816, but as the Milla-wakee and Manetoowalk bands are not represented at this council, it cannot be now definitively adjusted.

All the tribes under the control of the U. S. recognize boundaries.

Reservations excepted from the claim of either of the tribes.

Art. 10. All the tribes aforesaid acknowledge the general controlling power of the United States, and disclaim all dependence upon, and connection with, any other power. And the United States agree to, and recognise, the preceding boundaries, subject to the limitations and restrictions before provided. It being, however, well understood that the reservations at F  ver river, at the Ouisconsin, and St. Peters, and the ancient settlements at Prairie des Chiens and Green Bay, and the land properly thereto belonging, and the reservations made upon the Mississippi, for the use of the half breeds, in the treaty concluded with the Sacs and Foxes, August 24, 1824, are not claimed by either of the said tribes.

U. S. to convene tribes to adjust unsettled lines.

Art. 11. The United States agree, whenever the president may think it necessary and proper, to convene such of the tribes, either separately or together, as are interested in the lines left unsettled herein, and to recommend to them an amicable and final adjustment of their respective claims, so that the work, now happily begun, may be consummated. It is agreed, however, that a council shall be held with the Yancton

Council to be held with the

band of the Sioux, during the year 1826, to explain to them the stipulations of this treaty, and to procure their assent thereto, should they be disposed to give it, and also with the Ottoes, to settle and adjust their title to any of the country claimed by the Sacs, Foxes, and Ioways.

Yanctons and
Ottoes in 1826.

Art. 12. The Chippewa tribe being dispersed over a great extent of country, and the chiefs of that tribe having requested that such portion of them as may be thought proper, by the government of the United States, may be assembled in 1826, upon some part of lake Superior, that the objects and advantages of this treaty may be fully explained to them, so that the stipulations thereof may be observed by the warriors, the commissioners of the United States assent thereto, and it is therefore agreed that a council shall accordingly be held for these purposes.

Council to be
held with the
Chippewas in
1826.

Art. 13. It is understood by all the tribes, parties hereto, that no tribe shall hunt within the acknowledged limits of any other without their assent, but it being the sole object of this arrangement to perpetuate a peace among them, and amicable relations being now restored, the chiefs of all the tribes have expressed a determination cheerfully to allow a reciprocal right of hunting on the lands of one another, permission being first asked and obtained, as before provided for.

No tribe to
hunt on the
lands of an-
other without
permission.

Art. 14. Should any causes of difficulty hereafter unhappily arise between any of the tribes, parties hereunto, it is agreed that the other tribes shall interpose their good offices to remove such difficulties; and also that the government of the United States may take such measures as they may deem proper, to effect the same object.

Tribes to in-
terpose to re-
move difficul-
ties; also the
government.

Art. 15. This treaty shall be obligatory on the tribes, parties hereto, from and after the date hereof, and on the United States, from and after its ratification by the government thereof.

Treaty to be
obligatory
from date, &c.

Done and signed and sealed at Prairie des Chiens, in the territory of Michigan, this nineteenth day of August, one thousand eight hundred and twenty-five, and of the independence of the United States the fiftieth.

William Clark,
Lewis Cass.

SIoux.

Wa-ba-sha x or the leaf,
Pe-tet-te x Corbeau, little crow,
The Little x of the Wappitong tribe,
Tartunka-nasiah x Sussitong,
Sleepy Eyes x do.
Two faces x do.
French Crow x Wappacoota,
Kee-jee x do.
Tar-se-ga x do.
Wa-ma-de-tun-ka x black dog,

Wan-na-ta x Yancton, or he that charges on his enemy,
 Red Wing x
 Ko-ko-ma-ko x
 Sha-co pe x the Sixth,
 Pe-ni-si-on x
 Eta-see-pa x Wabashas band,
 Wa-ka-u-hee, x Sioux band, rising thunder,
 The Little Crow, x Sussetong,
 Po-e-ha-pa x Me-da-we-con-tong, or eagle head,
 Ta-ke-wa-pa x Wappitong, or medicine blanket,
 Tench-ze-part, x his bow,
 Masc-pu lo-chas-tosh x the white man,
 Te-te-kar-munch x the buffalo man,
 Wa-sa-o-ta x Sussetong, or a great of hail,
 Oeyah-ko-ca, x the crackling tract,
 Mak-to-wah-ke-ark, x the bear.

WINNEBAGOES.

Les quatres gambes, x
 Carimine, x the turtle that walks,
 De-ca-ri, x
 Wan-ca-ha-ga, x or snake's skin,
 Sa-sa-ma-ni, x
 Wa-non-che-quaa, x the merchant,
 Chon-que-pa, x or dog's head,
 Cha-rat-chon, x the smoker,
 Ca-ri-ca-si-ca, x he that kills the crow,
 Watch-kat-o-que, x the grand canoe,
 Ho-wa-mick-a, x the little elk.

MENOMINIES.

Ma-can-me-ta, x medicine bear,
 Chau-wee-nou-mi-tai, x medicine south wind,
 Char-o-nee, x
 Ma-wesh-a, x the little wolf,
 A-ya-pas-mis-ai, x the thunder that turns,
 Chia-me-pau, x the riband,
 La-me-quon, x the spoon,
 En-im-e-tas, x the barking wolf,
 Pape-at, x the one just arrived,
 O-que-men-ee, x the little chief.

CHIPPEWAS.

Shinguaba x W'Ossin, 1st chief of the Chippewa nation,
 Saute St. Marie,
 Gitspee x Jianba, 2d chief,
 Gitspee x Waskee, or le bœuf of La Pointe Lake Superior,
 Nain-a-hoozho, x of La Pointe Lake Superior,
 Monga, x Zid or Loons Foot of Fond du Lac,
 Weescoup, x or Suere of Fond du Lac,
 Mush-Koas, x or the Elk of Fond du Lac,
 Nau-bun x Aq ezhik, of Fond du Lac,
 Kau-ta-waubeta, x or broken tooth of Sandy Lake,
 Pugisaingegen, x or broken arm of Sandy Lake,
 Kwee-weezaishish, x or Gross Guelle of Sandy Lake,
 Ba-ba-see-kun-dade, x or curling hair of Sandy Lake,
 Paashineep, x or man shooting at the mark of Sandy Lake,
 Pu-ga-a-gik, x the little beef Leech Lake,
 Pee-see-ker, x or buffalo St. Croix band,
 Nan-din, x or the wind St. Croix band,

Nau-quan-a-bee, x of Mille lac,
 Tu-kau-bis-hoo, x or crouching lynk of Lac Courte Ori-
 elle,
 The Red Devil x of Lac Courte Orielle,
 The Track x of Sac Courte Orielle,
 Ne-bo-na-bee, x the mermaid Sac Courte Orielle,
 Pi-a-gick, x the single man St. Croix,
 Pu-in-a-ne-gi, x or the hole in the day Sandy Lake,
 Moose-o-mon-e, x plenty of elk St. Croix band,
 Nees-o-pe-na, x or two birds of Upper Red Cedar Lake,
 Shaata, x the pelican of Leech Lake,
 Che-on-o-quet, x the great cloud of Leech Lake,
 I-au-ben-see, x the little buck of Red Lake,
 Kia-wa-tas, x the tarrier of Leech Lake,
 Mau-ge-ga-bo, x the leader of Leech Lake,
 Nan-go-tuck, x the flame of Leech Lake,
 Nee-si-day-sish, x the sky of Red Lake,
 Pee-chan-a-nim, x striped feather of Sandy Lake,
 White Devil, x of Leech Lake,
 Ka-ha-ka, x the sparrow Lac Courte Orielle,
 I-au-be-ence, x little buck of Rice Lake,
 Ca-ba-ma-bee, x the assembly of St. Croix,
 Nau-gau-nosh, x the forward man Lake Flambeau,
 Caw-win-dow, x he that gathers berries of Sandy Lake,
 On-que-ess, x the mink Lake Superior,
 Ke-we-ta-ke-pe, x all round the sky,
 The-sces, x

OTTAWAS.

Chaboner, x or Chambly,
 Shaw-fau-wick, x the mink.

POTTAWATOMIES.

Ignace, x
 Ke-o-kuk, x
 Che-chan-quose, x the little crane,
 Taw-wa-na-nee, x the trader.

SACS.

Na-o-tuk, x the stabbing chief,
 Pish-ken-au-nee, x all fish,
 Po-ko-nau-qua, x or broken arm,
 Wau-kau-clie, x eagle nose,
 Quash-kaume, x jumping fish,
 Ochaach, x the fisher,
 Ke-o-kuck, x the watchful fox,
 Skin-gwin-ee-see, x the ratler,
 Was-ar-wis-ke-no, x the yellow bird,
 Pau-ko-tuk, x the open sky,
 Au-kaak-wan-e-suk, x he that vaults on the earth,
 Mu-ku-taak-wan-wet, x
 Mis-ke-bee, x the standing hair.

FOXES.

Wan-ba-law, x the playing fox,
 Ti-a-mah, x the bear that makes the rocks shake,
 Pee ar-maski, x the jumping sturgeon,
 Shagwa-na-tekwisu, x the thunder that is heard all over
 the world,
 Mis-o-win, x moose deer horn,
 No-ko-wot, x the down of the fur,
 Nau-sa-wa-quot, x the bear that sleeps on the forks,

Shin-quin-is, x the ratler,
 O-lo-pee-aau, x or Mache-paho-ta, the bear,
 Keesis, x the sun,
 No-wank, x he that gives too little,
 Kan-ka-mote, x
 Neek-waa, x
 Ka-tuck-e-kan-ka, x the fox with a spotted breast,
 Mock-to-back-sa-gum, x black tobacco,
 Wes-kesa, x the bear family.

IOWAYS.

Ma-hos-ka, x the white cloud,
 Pumpkin, x
 Wa-ca-nee, x the painted medicine.
 Tar-no-mun, x a great many deer,
 Wa-hoo-ga, x the owl,
 Ta-ca-mo-nee, x the lightning,
 Wa-push-a, x the man killer,
 To-nup-he-non-e, x the flea,
 Mon-da-tonga, x
 Cho-wa-row-a, x

Witnesses :

Thomas Biddle, *secretary*,
 R. A. W. Cabe, *capt. 5th inf.*
 R. A. Forsyth,
 N. Boilvin, *U. S. Ind. agt.*
 C. C. Trowbridge, *sub. Ind. agt.*
 Henry R. Schoolcraft, *U. S. Ind. agent*,
 B. F. Harney, *surg. U. S. A.*
 W. B. Alexander, *sub Ind. agent*,
 Thomas Forsyth, *agent Indian affairs*,
 Marvien Blondau,
 David Bailey,
 James M'Ilvaine, *lieut. U. S. army*,
 Law. Taliaferro, *Ind. agent for Upper Mississippi*,
 John Holliday,
 William Dickson,
 S. Campbell, *U. S. interpreter*,
 J. A. Lewis,
 William Holiday,
 Dunable Denejlevy,
 Bela Chapman.

[*Note.*—All the tribes who are parties to this treaty, are parties to others, to wit: the Sioux, ante, chapter 17; the Chippewas, ante, chap. 3, Nos. 1, 2, 3, 6, 8, 9, 13, 15, 16, 19, 20—also, ante, chap. 30; the Sacs and Foxes, ante, chap. 11; the Menominies, ante, chap. 23; the Ioways, ante, chap. 20; the Winnebagoes, ante, chap. 22; the Ottawas, ante, chap. 3, Nos. 1, 2, 3, 6, 8, 9, 13, 15, 16, 17, 19, 20; the Pottawatomies, ante, chap. 3, Nos. 2, 3, 4, 6, 7, 8, 9, 10, 13, 15, 16, 20—also, ante, chap. 15.]

CHAPTER XLII.

Treaty with the Creek nation of Indians.

SUPPLEMENTARY TO CHAPTER VIII.*

No. 9. Articles of a treaty made at the City of Washington, this twenty-fourth day of January, one thousand eight hundred and twenty-six, between James Barbour, Secretary of War, thereto specially authorized by the president of the United States, and the undersigned chiefs and head men of the Creek nation of Indians, who have received full power from the said nation, to conclude and arrange all the matters herein provided for.

Treaty with
the Creeks.

Whereas a treaty was concluded at the Indian Springs, on the twelfth day of February last, between commissioners on the part of the United States, and a portion of the Creek nation, by which an extensive district of country was ceded to the United States;

Reference to
treaty of 12th
Feb. 1825.
See ante,
chap. 8, No.
8.

And whereas a great majority of the chiefs and warriors of the said nation have protested against the execution of the said treaty, and have represented that the same was signed on their part by persons having no sufficient authority to form treaties or to make cessions, and that the stipulations in the said treaty are, therefore, wholly void;

And whereas the United States are unwilling that difficulties should exist in the said nation, which may eventually lead to an intestine war, and are still more unwilling that any cessions of land should be made to them, unless with the fair understanding and full assent of the tribe making such cession, and for a just and adequate consideration, it being the policy of the United States, in all their intercourse with the Indians, to treat them justly and liberally, as becomes the relative situation of the parties;

Now, therefore, in order to remove the difficulties which have thus arisen, to satisfy the great body of the Creek nation, and to reconcile the contending parties into which it is unhappily divided, the following articles have been agreed upon and concluded, between James Barbour, Secretary of War, specially authorized as aforesaid, and the said chiefs and head men representing the Creek nation of Indians:

Art. 1. The treaty concluded at the Indian Springs, on the twelfth day of February, one thousand eight hundred and twenty-five, between commissioners on the part of the United States and the said Creek nation of Indians, and ratified by the United States on the seventh day of March, one thousand eight hundred and twenty-five, is hereby declared to be null and void, to every intent and purpose whatsoever; and every right and claim arising from the same is hereby cancelled and surrendered.

Treaty of 12th
Feb. 1825,
declared null
and void.

* This treaty was not ratified in time to take its place as No. 9. of Chap. 8.

Cession of
lands by the
Creek nation.

Art. 2. The Creek nation of Indians cede to the United States all the land belonging to the said nation in the state of Georgia, and lying on the east side of the middle of the Chatahoochy river. And, also, another tract of land lying within the said state, and bounded as follows: Beginning at a point on the western bank of the said river, forty-seven miles below the point where the boundary line between the Creeks and Cherokees strikes the Chatahoochy river, near the Buzzard's Roost, measuring the said distance in a direct line, and not following the meanders of the said river; and from the point of beginning, running in a direct line to a point in the boundary line between the said Creeks and the Cherokees, thirty miles west of the said Buzzard's Roost, thence to the Buzzard's Roost, and thence with the middle of the said river to the place of beginning.

\$217,600 to be
paid to Creek
nation.

Art. 3. Immediately after the ratification of this treaty, the United States agree to pay to the chiefs of the said nation, the sum of two hundred and seventeen thousand six hundred dollars, to be divided among the chiefs and warriors of the said nation.

Perpetual annuity of
\$20,000.

Art. 4. The United States agree to pay to the said nation an additional perpetual annuity of twenty thousand dollars.

Difficulties of
the nation to
be amicably
adjusted.

Art. 5. The difficulties which have arisen in the said nation, in consequence of the treaty of the Indian Springs, shall be amicably adjusted, and that portion of the Creek nation who signed that treaty shall be admitted to all their privileges, as members of the Creek nation, it being the earnest wish of the United States, without undertaking to decide upon the complaints of the respective parties, that all causes of dissatisfaction should be removed.

Provision for
the removal
of the friends
and followers
of the late
Gen. McIntosh
west of
the Mississippi.

Art. 6. That portion of the Creek nation, known as the friends and followers of the late General William McIntosh, having intimated to the government of the United States their wish to remove west of the Mississippi, it is hereby agreed, with their assent, that a deputation of five persons shall be sent by them, at the expense of the United States, immediately after the ratification of this treaty, to examine the Indian country west of the Mississippi, not within either of the states or territories, and not possessed by the Choctaws or Cherokees. And the United States agree to purchase for them, if the same can be conveniently done upon reasonable terms, wherever they may select, a country, whose extent shall, in the opinion of the president, be proportioned to their numbers. And if such purchase cannot be thus made, it is then agreed that the selection shall be made where the president may think proper, just reference being had to the wishes of the emigrating party.

Emigrants to
remove within

Art. 7. The emigrating party shall remove within twenty-four months, and the expense of their removal shall be defrayed

ed by the United States. And such subsistence shall also be furnished them, for a term not exceeding twelve months after their arrival at their new residence, as, in the opinion of the president, their numbers and circumstances may require.

Art. 8. An agent, or sub-agent, and interpreter, shall be appointed to accompany and reside with them. And a blacksmith and wheelwright shall be furnished by the United States. Such assistance shall also be rendered to them in their agricultural operations, as the president may think proper.

Art. 9. In consideration of the exertions used by the friends and followers of Gen. McIntosh to procure a cession at the Indian Springs, and of their past difficulties and contemplated removal, the United States agree to present to the chiefs of the party, to be divided among the chiefs and warriors, the sum of one hundred thousand dollars, if such party shall amount to three thousand persons, and in that proportion for any smaller number. Fifteen thousand dollars of this sum to be paid immediately after the ratification of this treaty, and the residue upon their arrival in the country west of the Mississippi.

Art. 10. It is agreed by the Creek nation, that an agent shall be appointed by the president, to ascertain the damages sustained by the friends and followers of the late General McIntosh, in consequence of the difficulties growing out of the treaty of the Indian Springs, as set forth in an agreement entered into with General Gaines, at the Broken Arrow, and which have been done contrary to the laws of the Creek nation; and such damages shall be repaired by the said nation, or the amount paid out of the annuity due to them.

Art. 11. All the improvements which add real value to any part of the land herein ceded, shall be appraised by commissioners, to be appointed by the president; and the amount thus ascertained shall be paid to the parties owning such improvements.

Art. 12. Possession of the country herein ceded shall be yielded by the Creeks on or before the first day of January next.

Art. 13. The United States agree to guarantee to the Creeks all the country, not herein ceded, to which they have a just claim, and to make good to them any losses they may incur in consequence of the illegal conduct of any citizen of the United States within the Creek country.

Art. 14. The president of the United States shall have authority to select, in some part of the Creek country, a tract of land, not exceeding two sections, where the necessary public buildings may be erected, and the persons attached to the agency may reside.

Art. 15. Wherever any stream, over which it may be necessary to establish ferries, forms the boundary of the Creek

two years, and expenses to be paid by the U. States.

Agent to be appointed, and a blacksmith, &c. to be furnished.

Friends and followers of Gen. McIntosh to be paid \$100,000.

Agent to be appointed to ascertain damages sustained by the friends and followers of Gen. McIntosh.

Improvements on ceded lands to be paid for.

Possession of ceded lands to be given by the Creeks 1st Jan. 1827.

U. S. guarantee to Creeks the country not ceded by them, and to make good losses.

Site for the agency.

Ferriage regulated.

country, the Creek Indians shall have the right of ferriage from their own land, and the citizens of the United States from the land to which the Indian title is extinguished.

Creek chiefs to appoint commissioners to attend the running of lines.

Art. 16. The Creek chiefs may appoint three commissioners from their own people, who shall be allowed to attend the running of the lines west of the Chatahoochy river, and whose expenses, while engaged in this duty, shall be defrayed by the United States.

Treaty obligatory when ratified.

Art. 17. This treaty, after the same has been ratified by the president and senate, shall be obligatory on the United States and on the Creek nation.

In testimony whereof, the said James Barbour, Secretary of War, authorized as aforesaid, and the chiefs of the said Creek nation of Indians, have hereunto set their hands, at the City of Washington, the day and year aforesaid.

James Barbour,
O-poth-le Yoholo, his x mark,
John Stidham, his x mark,
Mad Wolf, his x mark,
Menawee, his x mark,
Tuskeek Tustunnuggee, his x mark,
Charles 'ornells, his x mark,
Timpoochy Barnard, his x mark,
Apauly Tustunnuggee, his x mark,
Coosa Tustunnuggee, his x mark,
Nahetluc Hopie, his x mark,
Selocta, his x mark,
Ledagi, his x mark,
Yoholo Micco, his x mark.

In presence of

Thomas L. McKenney,
Lewis Cass,
John Crowell, *agent for I. A.*
Hezekiah Miller,
John Ridge, *secretary Creek Delegation,*
David Vann.

The preceding treaty.

SUPPLEMENTARY ARTICLE

To the Creek treaty of twenty-fourth January, 1826.

Line provided for in the 2d article of the preceding treaty extended.

Whereas a stipulation in the second article of the treaty of the twenty-fourth day of January, 1826, between the undersigned, parties to said treaty, provides for the running of a line "beginning at a point on the western bank of the Chatahoochy river, forty-seven miles below the point where the boundary line between the Creeks and Cherokees strikes the said river, near the Buzzard's Roost, measuring the said distance in a direct line, and not following the meanders of the said river, and from the point of beginning, running in a direct line to a point in the boundary line between the said Creeks and the Cherokees, thirty miles west of the said Buzzard's Roost, thence to the Buzzard's Roost, and thence with the middle of said river

to the place of beginning:" And whereas it having been represented to the party to the said treaty in behalf of the Creek nation, that a certain extension of said lines might embrace in the cession all the lands which will be found to lie within the chartered limits of Georgia, and which are owned by the Creeks, the undersigned do hereby agree to the following extension of said lines, viz: In the place of "forty-seven miles," as stipulated in the second article of the treaty aforesaid, as the point of beginning, the undersigned agree that it shall be *fifty miles*, in a direct line below the point designated in the second article of said treaty; thence running in a direct line to a point in the boundary line between the Creeks and Cherokees, *forty-five miles* west of said Buzzard's Roost, in the place of "thirty miles," as stipulated in said treaty; thence to the Buzzard's Roost, and thence to the place of beginning—it being understood that these lines are to stop at their intersection with the boundary line between Georgia and Alabama, wherever that may be, if that line shall cross them in the direction of the Buzzard's Roost, at a shorter distance than it is provided they shall run; and provided, also, that if the said dividing line between Georgia and Alabama, shall not be reached by the extension of the two lines aforesaid, the one three, and the other fifteen miles, they are to run and terminate as defined in this supplemental article to the treaty aforesaid.

It is hereby agreed, in consideration of the extension of said lines, on the part of the other party to the treaty aforesaid, in behalf of the United States, to pay to the Creek nation, immediately upon the ratification of said treaty, the sum of thirty thousand dollars.

U. States to
pay Creek na-
tion \$30,000.

In witness whereof, the parties aforesaid have hereunto set their hands and seals, this thirty-first day of March, in the year of our Lord one thousand eight hundred and twenty-six.

James Barbour,
Opothle Yoholo, his x mark,
John Stidham, his x mark,
Mad Wolf, his x mark,
Tuskekee Tustunnuggee, his x mark,
Yoholo Micco, his x mark,
Menawee, his x mark,
Charles Cornells, his x mark,
Apauly Tustunnuggee, his x mark,
Coosa Tustunnuggee, his x mark,
Nahetluc Hopie, his x mark,
Selocta, his x mark,
Timpoochy Barnard, his x mark,
Ledagi, his x mark.

In presence of

Thomas L. McKenney,
John Crowell, agent for I. A.
John Ridge, secretary,
David Vann,
Wm. Hambly.



LAWS OF THE UNITED STATES

RELATING TO INDIAN AFFAIRS.

CHAPTER XLIII.

An act to make provision relative to rations for Indians, and to their visits to the seat of Government.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the President of the United States shall be and hereby is, authorized and empowered to cause such rations as he shall judge proper, and as can be spared from the army provisions without injury to the service, to be issued, under such regulations as he shall think fit to establish, to Indians who may visit the military posts of the United States on the frontiers, or within their respective nations.

President authorized to cause rations to be issued to Indians visiting military posts.

SEC. 2. *And be it further enacted,* That the President of the United States shall be, and hereby is, further authorized and empowered to cause to be defrayed, on the part of the United States, the reasonable expenses of such Indians as may, from time to time, visit the seat of Government thereof, for their journeys to, stay at, and return from the same; and also to cause to be given to such Indians, during their stay as aforesaid, such presents as he shall judge necessary.

The President authorized to pay expenses of visits of Indians to the seat of government, and to bestow presents.

SEC. 3. *And be it further enacted,* That a separate account of all rations issued, and expenses defrayed, as aforesaid, and of the expenditures occasioned by such presents, as are aforesaid, shall be kept at the Department of War.

A separate account of rations, &c. to be kept at the department of War.

Approved, May 13, 1800.

JOHN ADAMS.

CHAPTER XLIV.

An act to regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontiers.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following boundary line, established by treaty between the United States and various Indian tribes, shall be clearly ascertained, and distinctly marked in all such

Boundary line between the United States and various

Indian tribes, according to treaties, to be ascertained and marked, &c,

places as the President of the United States shall deem necessary, and in such manner as he shall direct, to wit: Beginning at the mouth of the Cayahoga river, on lake Erie, and running thence, up the same, to the portage between that and the Tuscaroras branch of the Muskingum; thence, down that branch, to the crossing place above Fort Lawrence; thence, westwardly, to a fork of that branch of the Great Miami river running into the Ohio; at or near which fork stood Laromie's store, and where commences the portage, between the Miami of the Ohio and St. Mary's river, which is a branch of the Miami, which runs into lake Erie; thence, a westwardly course, to Fort Recovery, which stands on a branch of the Wabash; thence, southwestwardly, in a direct line to the Ohio, so as to intersect that river opposite the mouth of Kentucky or Cuttawba river;* thence, down the said river Ohio, to the tract of one hundred and fifty thousand acres, near the rapids of the Ohio, which has been assigned to General Clarke, for the use of himself and his warriors;† thence, around the said tract, on the line of the said tract, till it shall again intersect the said river Ohio; thence, down the same, to a point opposite the high lands, or ridge, between the mouth of the Cumberland and Tennessee rivers; thence, southeastwardly, on the said ridge, to a point from whence a southwest line will strike the mouth of Duck river;‡ thence, still eastwardly, on the said ridge, to a point forty miles above Nashville; thence, northeast, to Cumberland river; thence, up the said river, to where the Kentucky road crosses the same; thence, to the Cumberland mountain, at the point of Campbell's line; thence, in a southwestwardly direction, along the foot of the Cumberland mountain, to Emory's river; thence, down the same, to its junction with the river Clinch; thence, down the river Clinch to Hawkins's line; thence, along the same to a white oak, marked one mile tree; thence, south, fifty-one degrees west, three hundred and twenty-eight chains, to a large ash tree on the bank of the river Tennessee, one mile below Southwest Point; thence, up the northeast margin of the river Tennessee (not including islands,) to the Wild Cat Rock, below Tellico block house; thence, in a direct line, to the Militia Spring, near the Maryville road leading from Tellico; thence, from the said Spring, to the Chilhowee mountain, by a line so to be run as will leave all the farms on Nine Mile Creek to the northward and eastward of it, and to be continued along the Chilhowee mountain until it strikes Hawkins's line; thence, along the said line, to the great Iron mountain; and from the top of which a line to be continued, in a southeastwardly course, to where the most southern branch of Little river crosses the divisional line to Tugaloo river;|| thence, along the South Carolina Indian boundary, to and over the Ocunna mountain, in a southwest

*See the treaty of Greenville, of the 3d Aug. 1795. Ante, chap. 3, No. 3 art. 3, p. 49.

†See ante, page 52.

‡See the treaty with the Chickasaws of 10th Jan. 1786, ante, chap. 6, No. 1, page 175.

See the treaty of 2d October, 1798,

course, to Tugaloo river; thence, in a direct line, to the top of Currahee mountain, where the Creek line passes it; thence, to the head or source of the main south branch of the Oconee river, called the Apalachee; thence, down the middle of the said main south branch and river Oconee, to its confluence with Oakmulgee, which forms the river Altamaha; thence, down the middle of the said Altamaha, to the old line on the said river; and thence, along the said old line, to the river St. Mary's.* *Provided always*, That if the boundary line between the said Indian tribes and the United States, shall, at any time hereafter, be varied, by any treaty which shall be made between the said Indian tribes and the United States, then all the provisions contained in this act shall be construed to apply to the said line so to be varied, in the same manner as said provisions apply, by force of this act, to the boundary line herein before recited.

with the Cherokeees, ante, chap. 4, No. 4, page 122.

*See the treaty of New York with the Creeks, of 7th Aug. 1790, ante, chap. 8, No. 1, p. 190.

SEC. 2. *And be it further enacted*, That if any citizen of, or other person resident in, the United States, or either of the territorial districts of the United States, shall cross over, or go within, the said boundary line, to hunt, or in any wise destroy the game; or shall drive, or otherwise convey, any stock of horses or cattle, to range on any lands allotted or secured, by treaty with the United States, to any Indian tribes, he shall forfeit a sum not exceeding one hundred dollars, or be imprisoned not exceeding six months.

Fine or imprisonment, for crossing the boundary line to hunt.

SEC. 3. *And be it further enacted*, That if any such citizen, or other person, shall go into any country which is allotted or secured, by treaty, as aforesaid, to any of the Indian tribes south of the river Ohio, without a passport first had and obtained from the Governor of some one of the United States, or the officer of the troops of the United States commanding at the nearest post on the frontiers, or such other person as the President of the United States may, from time to time, authorize to grant the same, shall forfeit a sum not exceeding fifty dollars, or be imprisoned not exceeding three months.

Fine or imprisonment for going into the Indian country south of the river Ohio, without a passport.

SEC. 4. *And be it further enacted*, That if any such citizen, or other person, shall go into any town, settlement, or territory, belonging, or secured, by treaty with the United States, to any nation or tribe of Indians, and shall there commit robbery, larceny, trespass, or other crime, against the person or property of any friendly Indian or Indians, which would be punishable, if committed within the jurisdiction of any state against a citizen of the United States; or, unauthorized by law, and with a hostile intention, shall be found on any Indian land, such offender shall forfeit a sum not exceeding one hundred dollars, and be imprisoned not exceeding twelve months; and shall also, when property is taken or destroyed, forfeit and pay, to such Indian or Indians, to whom

Fine and imprisonment for committing robbery, larceny, &c. in Indian settlements, or for being found, with unauthorized hostile intentions, on Indian lands.

When property is taken or destroyed,

the offender forfeits twice the value.

The just value of property taken, &c. to be paid for.

the property taken and destroyed belongs, a sum equal to twice the just value of the property so taken or destroyed: and if such offender shall be unable to pay a sum at least equal to the said just value, whatever such payment shall fall short of the said just value shall be paid out of the treasury of the United States: *Provided, nevertheless,* That no such Indian shall be entitled to any payment out of the treasury of the United States, for any such property taken or destroyed, if he, or any of the nation to which he belongs, shall have sought private revenge, or attempted to obtain satisfaction by any force or violence.

Persons making settlements on Indian lands, to suffer fine and imprisonment.

SEC. 5. *And be it further enacted,* That if any such citizen or other person, shall make a settlement on any lands belonging, or secured, or granted, by treaty with the United States, to any Indian tribe, or shall survey, or attempt to survey, such lands, or designate any of the boundaries, by marking trees, or otherwise, such offender shall forfeit a sum not exceeding one thousand dollars, and suffer imprisonment, not exceeding twelve months. And it shall, moreover, be lawful for the President of the United States to take such measures, and to employ such military force, as he may judge necessary, to remove from lands, belonging, or secured by treaty, as aforesaid, to any Indian tribe, any such citizen, or other person, who has made, or shall hereafter make, or attempt to make, a settlement thereon.

The president may employ the military force to remove persons settling on Indian lands.

Death, for going into Indian settlements and committing murder.

SEC. 6. *And be it further enacted,* That if any such citizen, or other person, shall go into any town, settlement, or territory, belonging to any nation or tribe of Indians, and shall there commit murder, by killing any Indian or Indians, belonging to any nation or tribe of Indians in amity with the United States, such offender, on being thereof convicted, shall suffer death.

No person to reside at Indian towns, as traders, without license.

SEC. 7. *And be it further enacted,* That no such citizen, or other person, shall be permitted to reside at any of the towns, or hunting camps, of any of the Indian tribes, as a trader, without a license under the hand and seal of the superintendent of the department, or of such other person as the President of the United States shall authorize to grant licenses for that purpose: which superintendent, or person authorized, shall, on application, issue such license, for a term not exceeding two years, to such trader, who shall enter into bond, with one or more sureties, approved of by the superintendent, or person issuing such license, or by the President of the United States, in the penal sum of one thousand dollars, conditioned for the true and faithful observance of such regulations and restrictions as are, or shall be, made for the government of trade and intercourse with the Indian tribes: And the superintendent, or person issuing such license, shall have full power

Superintendent, &c. to issue license, not exceeding two years. Bond in case of license. Condition of the bond.

Persons issuing licenses

and authority to recall the same, if the person so licensed shall transgress any of the regulations or restrictions provided for the government of trade and intercourse with the Indian tribes; and shall put in suit such bonds as he may have taken, on the breach of any condition therein contained.*

SEC. 8. *And be it further enacted*, That any such citizen, or other person, who shall attempt to reside in any town or hunting camp, of any of the Indian tribes, as a trader, without such license, shall forfeit all the merchandise offered for sale to the Indians, or found in his possession, and shall, moreover, be liable to a fine, not exceeding one hundred dollars, and to imprisonment, not exceeding thirty days.

SEC. 9. *And be it further enacted*, That if any such citizen, or other person, shall purchase, or receive, of any Indian, in the way of trade or barter, a gun, or other article commonly used in hunting, any instrument of husbandry, or cooking utensil, of the kind usually obtained by the Indians, in their intercourse with white people, or any article of clothing, excepting skins or furs, he shall forfeit a sum not exceeding fifty dollars, and be imprisoned not exceeding thirty days.

SEC. 10. *And be it further enacted*, That no such citizen, or other person, shall be permitted to purchase any horse of an Indian, or of any white man in the Indian territory, without special license for that purpose; which license the superintendent, or such other person as the President shall appoint, is hereby authorized to grant, on the same terms, conditions, and restrictions, as other licenses are to be granted under this act: and any such person, who shall purchase a horse or horses, under such license, before he exposes such horse or horses for sale, and within fifteen days after they have been brought out of the Indian country, shall make a particular return to the superintendent, or other person, from whom he obtained his license, of every horse purchased by him, as aforesaid; describing such horses, by their colour, height, and other natural or artificial marks, under the penalty contained in their respective bonds. And every such person, purchasing a horse or horses, as aforesaid, in the Indian country, without a special license, shall, for every horse thus purchased, and brought into any settlement of citizens of the United States, forfeit a sum not exceeding one hundred dollars, and be imprisoned not exceeding thirty days. And every person who shall purchase a horse, knowing him to be brought out of the Indian territory, by any person or persons not licensed, as above, to purchase the same, shall forfeit the value of such horse.

SEC. 11. *And be it further enacted*, That no agent, superintendent, or other person, authorized to grant a license to

may recall them.

Bonds, on breach of condition, to be put in suit.

Forfeiture, fine, and imprisonment, for trading without license.

Fine and imprisonment for receiving guns, &c. from Indians, except, &c.

No person to purchase horses of Indians, &c. without a license. Superintendent, &c. to grant licenses.

Particular return, before sale, of horses brought out of the Indian country, &c.

Fine and imprisonment, for purchasing horses in the Indian country without license.

Forfeit of the value, for purchasing horses brought, &c. without license.

Persons granting licenses, to

* This section repealed by act of 6th May, 1822; see post.

have no interest in the Indian trade, except, &c. trade, or purchase horses, shall have any interest or concern in any trade with the Indians, or in the purchase or sale of any horse to, or from, any Indian, excepting for and on account of the United States: And any person offending herein, shall forfeit a sum not exceeding one thousand dollars, and be imprisoned not exceeding twelve months.

No purchase or grant of Indian lands valid, unless made by treaty, pursuant to the constitution.

* See the const. U. S. art 2, sec. 2, cl. 2.

Fine and imprisonment for treating with Indians without authority.

The president may furnish useful animals, &c.

Proviso.

In case Indians cross the boundary line into the states or territories, and steal property, commit murder, &c. the injured party to apply to the superintendent, who is to make application to the tribe to which

SEC. 12. *And be it further enacted*, That no purchase, grant, lease, or other conveyance, of lands, or of any title or claim thereto, from any Indian, or nation, or tribe of Indians, within the bounds of the United States, shall be of any validity, in law or equity, unless the same be made by treaty or convention, entered into pursuant to the constitution:* And it shall be a misdemeanor in any person, not employed under the authority of the United States, to negotiate such treaty or convention, directly or indirectly, to treat with any such Indian nation, or tribe of Indians, for the title or purchase of any lands by them held or claimed, punishable by fine, not exceeding one thousand dollars, and imprisonment, not exceeding twelve months: *Provided, nevertheless*, That it shall be lawful for the agent or agents of any state, who may be present at any treaty held with Indians under the authority of the United States, in the presence, and with the approbation, of the commissioner or commissioners of the United States, appointed to hold the same, to propose to, and adjust with, the Indians, the compensation to be made for their claims to lands within such state which shall be extinguished by the treaty.

SEC. 13. *And be it further enacted*, That in order to promote civilization among the friendly Indian tribes, and to secure the continuance of their friendship, it shall be lawful for the President of the United States to cause them to be furnished with useful domestic animals, and implements of husbandry, and with goods or money, as he shall judge proper, and to appoint such persons, from time to time, as temporary agents, to reside among the Indians, as he shall think fit: *Provided*, That the whole amount of such presents, and allowance to such agents, shall not exceed fifteen thousand dollars per annum.

SEC. 14. *And be it further enacted*, That if any Indian or Indians, belonging to any tribe in amity with the United States, shall come over or cross the said boundary line, into any state or territory inhabited by citizens of the United States, and there take, steal or destroy any horse, horses, or other property, belonging to any citizen or inhabitant of the United States, or of either of the territorial districts of the United States, or shall commit any murder, violence or outrage, upon any such citizen or inhabitant, it shall be the duty of such citizen or inhabitant, his representative, attorney or agent, to make application to the superintendent, or such other person as the

president of the United States shall authorize for that purpose; the offending who, upon being furnished with the necessary documents and Indians be- proofs, shall, under the direction or instruction of the president long, and if of the United States, make application to the nation or tribe, the tribe re- to which such Indian or Indians shall belong, for satisfaction; fuses or neg- and if such nation or tribe shall neglect or refuse to make satis- lects to make faction, in a reasonable time, not exceeding twelve months, satisfaction, then it shall be the duty of such superintendent or other per- the superin- son authorized as aforesaid, to make return of his doings to the tendent to re- president of the United States, and forward to him all the docu- port proceed- ments and proofs in the case, that such further steps may be ings to the president. taken, as shall be proper to obtain satisfaction, for the injury : The U. States or destroyed, the United States guarantee to the party injured, guarantee in- an eventual indemnification: *Provided always*, That if such indemnification. injured party, his representative, attorney or agent, shall, in Proviso. any way, violate any of the provisions of this act, by seeking, or attempting to obtain private satisfaction or revenge, by cross- ing over the line, on any of the Indian lands, he shall forfeit all claim upon the United States, for such indemnification : *And provided also*, That nothing herein contained shall pre- Proviso. vent the legal apprehension or arresting, within the limits of any state or district, of any Indian, having so offended: *And* Proviso. *provided further*, That it shall be lawful for the president of the United States, to deduct such sum or sums, as shall be paid for the property taken, stolen or destroyed by any such Indian, out of the annual stipend, which the United States are bound to pay to the tribe, to which such Indian shall belong.

SEC. 15. *And be it further enacted*, That the superior courts in each of the said territorial districts, and the circuit Superior ter- courts and other courts of the United States of similar jurisdic- ritorial courts, tion in criminal causes, in each district of the United States, in invested with full power to hear and de- which any offender against this act shall be apprehended, or termine offen- agreeably to the provisions of this act, shall be brought for tri- ces against al, shall have, and are hereby invested with, full power and au- this act. thority to hear and determine all crimes, offences, and misde- meanors, against this act; such courts proceeding therein in the same manner as if such crimes, offences, and misdemea- In cases where the punish- ners, had been committed within the bounds of their respective ment is not death, the ter- districts: And in all cases where the punishment shall not be ritorial county courts invest- ed with power to hear and determine. death, the county courts of quarter sessions in the said territo- In cases where the punish- rial districts, and the district courts of the United States in their ment is death, respective districts, shall have, and are hereby invested with, like power to hear and determine the same, any law to the con- trary notwithstanding: And in all cases where the punishment shall be death, it shall be lawful for the governor of either of the territorial districts where the offender shall be apprehended, or into which he shall be brought for trial, to issue a commis-

the governors of territorial districts may issue a commission of oyer and terminer.

When the offender is brought for trial into any of the U. S. the president may issue a commission, except, &c.

The district courts of Kentucky, Tennessee, and Maine, to have jurisdiction.

The military force may apprehend persons found in the Indian country, &c.

Proviso.

Officers and soldiers to treat persons in custody with humanity.

Proviso.

sion of oyer and terminer to the superior judges of such district, who shall have full power and authority to hear and determine all such capital cases, in the same manner as the superior courts of such districts have in their ordinary sessions: And when the offender shall be apprehended, or brought for trial into any of the United States, except Kentucky or Tennessee, it shall be lawful for the president of the United States to issue a like commission to any one or more judges of the supreme court of the United States, and the judge of the district in which such offender may have been apprehended, or shall have been brought for trial, which judges, or any two of them, shall have the same jurisdiction in such capital cases as the circuit court of such district, and shall proceed to trial and judgment in the same manner as such circuit court might or could do. And the district courts of Kentucky, Tennessee and Maine shall have jurisdiction of all crimes, offences, and misdemeanors, committed against this act, and shall proceed to trial and judgment in the same manner as the circuit courts of the United States.

SEC. 16. *And be it further enacted*, That it shall be lawful for the military force of the United States, to apprehend every person who shall or may be found in the Indian country, over and beyond the said boundary line between the United States and the said Indian tribes, in violation of any of the provisions or regulations of this act, and him or them immediately to convey, in the nearest convenient and safe route, to the civil authority of the United States, in some one of the three next adjoining states or districts, to be proceeded against in due course of law: *Provided*, That no person apprehended by military force, as aforesaid, shall be detained longer than five days after the arrest and before removal. And all officers and soldiers who may have any such person or persons in custody, shall treat them with all the humanity which the circumstances will possibly permit: and every officer and soldier who shall be guilty of mal-treating any such person, while in custody, shall suffer such punishment as a court martial shall direct: *Provided*, That the officer having custody of such person or persons shall, if required by such person or persons, conduct him or them to the nearest judge of the supreme or superior court of any state, who, if the offence is bailable, shall take proper bail, if offered, returnable to the district court next to be holden in said district, which bail the said judge is hereby authorized to take, and which shall be liable to be estreated, as any other recognizance for bail, in any court of the United States; and if said judge shall refuse to act, or the person or persons fail to procure satisfactory bail, then the said person or persons are to be proceeded with according to the directions of this act.

SEC. 17. *And be it further enacted*, That if any person who shall be charged with a violation of any of the provisions or regulations of this act, shall be found within any of the United States, or either of the territorial districts of the United States, such offender may be there apprehended and brought to trial, in the same manner as if such crime or offence had been committed within such state or district; and it shall be the duty of the military force of the United States, when called upon by the civil magistrate, or any proper officer, or other person duly authorized for that purpose, and having a lawful warrant, to aid and assist such magistrate, officer, or other person authorized as aforesaid, in arresting such offender, and him committing to safe custody for trial according to law.

Offenders against this act, found within any state, &c.

The military force to aid in arresting offenders.

SEC. 18. *And be it further enacted*, That the amount of fines, and duration of imprisonment, directed by this act as a punishment for the violation of any of the provisions thereof, shall be ascertained and fixed, not exceeding the limits prescribed, in the discretion of the court, before whom the trial shall be had; and that all fines and forfeitures, which shall accrue under this act, shall be one-half to the use of the informant, and the other half to the use of the United States; except where the prosecution shall be first instituted on behalf of the United States, in which case the whole shall be to their use.

Amount of fines, &c. to be fixed by the courts, at discretion.

A moiety of fines and forfeitures to the informer, except, &c.

SEC. 19. *And be it further enacted*, That nothing in this act shall be construed to prevent any trade or intercourse with Indians living on lands surrounded by settlements of the citizens of the United States, and being within the ordinary jurisdiction of any of the individual states: or the unmolested use of a road from Washington district to Mero district, or to prevent the citizens of Tennessee from keeping in repair the said road, under the direction or orders of the governor of said state, and of the navigation of the Tennessee river, as reserved and secured by treaty; * nor shall this act be construed to prevent any person or persons travelling from Knoxville to Price's settlement, or to the settlement on Obed's river, (so called,) provided they shall travel in the trace or path which is usually travelled, and provided the Indians make no objection; but if the Indians object, the president of the United States is hereby authorized to issue a proclamation, prohibiting all travelling on said traces, or either of them, as the case may be, after which, the penalties of this act shall be incurred by every person travelling or being found on said traces, or either of them, to which the prohibition may apply, within the Indian boundary, without a passport.

Nothing in this act to prevent trade, with Indians living, &c.

Unmolested use of the road mentioned.

*See the treaty of 2d July, 1791, with the Cherokees, ante, chap. 4. No. 2, art. 5, page 117.

Travelling from Knoxville to Price's settlement, or the settlement on Obed's river, &c. provided.

SEC. 20. *And be it further enacted*, That the president of the United States be, and he is hereby authorized to cause to be clearly ascertained and distinctly marked, in all such places as he shall deem necessary, and in such manner as he shall

The president authorized to cause other Indian boundary lines to be marked.

direct, any other boundary lines between the United States and any Indian tribe, which now are, or hereafter may be, established by treaty.

The president may take measures to restrain the vending of spirituous liquors among the Indian tribes.

This act to be in force from its passage. The act mentioned, not to operate, as to proceedings under this act.

SEC. 21. *And be it further enacted*, That the president of the United States be authorized to take such measures, from time to time, as to him may appear expedient, to prevent or restrain the vending or distributing of spirituous liquors among all, or any of the said Indian tribes, any thing herein contained to the contrary thereof notwithstanding.

SEC. 22. *And be it further enacted*, That this act shall be in force from the passage thereof; and so far as respects the proceedings under this act, it is to be understood, that the act, entitled "An act to amend an act, entitled an act giving effect to the laws of the United States within the district of Tennessee,"* is not to operate.

Approved, March 30, 1802.

TH: JEFFERSON.

[*Note.*—The first act "to regulate trade and intercourse with the Indian tribes," was passed on 22d July, 1790, which was limited to two years. Its provisions were continued for limited periods by acts of 1st March, 1793—19th May, 1796—3d March, 1799, until they were supplied and continued by this act, without limitation. Two acts have been since passed, amending some of its provisions, for which, see post, chapters 48 and 59.]

CHAPTER XLV.

An act for the relief of certain Alabama and Wyandot Indians.

The president authorized to cause to be surveyed a tract of land, not exceeding 2,500 acres, in the territory of Orleans, &c. and vest the same by lease in a tribe of Alabama Indians for 50 years.

Proviso.

Proviso.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the president of the United States be, and he is hereby, authorized to cause to be surveyed and designated, by proper metes and bounds, a tract of land, not exceeding two thousand five hundred acres, out of any lands of the United States lying in the territory of Orleans, and west of the river Mississippi, and by lease, vest the said tract of land in a certain tribe of Alabama Indians and their descendants, for the term of fifty years: *Provided, nevertheless*, That it shall not be lawful for the said tribe of Indians to transfer or assign their interest in the said land, and every such transfer or assignment shall be null and void: *And provided also*, That if the said tribe of Indians shall remove from the said tract of land, their interest in and to the same, shall thenceforth cease and determine.

Two tracts of land to be designated in the Michigan ter-

SEC. 2. *And be it further enacted*, That there shall be designated, under the direction of the Secretary of the Treasury, two tracts of land in the Michigan territory, one including the vil-

* See the act referred to, Laws U. S. vol. 3, chap. 114, page 124.

lage called Brownstown, and the other, the village called Matory, including the villages of Browns-
 guaga, in the possession of the Wyandot tribe of Indians, con- town and Ma-
 taining, in the whole, not more than five thousand acres ; which guaga, &c. not
 two tracts of land shall be reserved for the use of the said Wy- exceeding
 andots and their descendants, and be secured to them in the 5000 acres, to
 same manner, and on the same terms and conditions, as is pro- be reserved
 vided in relation to the Alabama Indians, by the first section for the use of
 of this act. the Wyandots.

Approved, February 28, 1809.

TH: JEFFERSON.

CHAPTER XLVI.

An act for granting and securing to Anthony Shane,* the right of the United States to a tract of land in the state of Ohio. *A half breed Indian.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That in consideration of valuable and faithful services, rendered to the United States during the present war, by Anthony Shane, a half-breed Indian, there be granted to him all the right of the United States to a tract of land, to contain three hundred and twenty acres, lying on the river St. Mary's, at a place called Shane's crossing, within the limits of the state of Ohio, but in a part thereof to which the Indian title has not yet been extinguished ; the said tract to be located in a convenient form, and so as to comprehend the said Anthony Shane's improvements. Grant of land to Anthony Shane, a half breed.

SEC. 2. *And be it further enacted,* That as soon as the Indian title to the territory, comprehending the said tract, shall be extinguished, the said three hundred and twenty acres shall be surveyed under the authority of the United States, and a patent therefor shall be granted to the said Anthony Shane, or, if not then living, to his children and legal representatives, to hold the same to them and their heirs. To be surveyed as soon as the Indian title is extinguished.

Approved, February 24, 1815.

JAMES MADISON.

CHAPTER XLVII.

An act for the relief of Young King, a chief of the Seneca tribe of Indians.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the secretary for the department of war be, The secretary of war to cause \$200 per annum to be paid

to the Seneca chief, Young King, during his life, for meritorious services.

and he is hereby authorized and required, to cause to be paid to Young King, a chief of the Seneca tribe of Indians, quarterly, the sum of fifty dollars, amounting to the sum of two hundred dollars per annum, during the term of his natural life, as a compensation for the brave and meritorious services which he rendered the United States in the late war with Great Britain, and as a provision for the wound and disability which he received in the performance of those services.

Out of any money in the treasury.

SEC. 2. *And be it further enacted*, That the said sum be paid out of any money in the Treasury not otherwise appropriated.

Approved, April 26, 1816.

JAMES MADISON

CHAPTER XLVIII.

An act supplementary to the act passed the thirtieth of March, one thousand eight hundred and two, to regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontiers.*

*Ante, chap. 44.

Licenses to trade to be given only to citizens.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That licenses to trade with the Indians, within the territorial limits of the United States, shall not be granted to any but citizens of the United States, unless by the express direction of the president of the United States, and upon such terms and conditions, as the public interest may, in his opinion, require.

Forfeiture of articles carried to the Indians contrary to this act.

SEC. 2. *And be it further enacted*, That all goods, wares, and merchandise, carried by a foreigner, into the lands to which the Indian title has not been extinguished, for the purpose of being used in the Indian trade; and all articles of peltry, of provisions, or of any other kind, purchased by foreigners from Indians, or tribes of Indians, contrary to the provisions of this act, shall be, and the same are hereby, forfeited; one half thereof to the use of the informer, and the remainder to the United States: *Provided*, That the goods, wares, and merchandise, are seized prior to their sale to an Indian or Indian tribe; and the articles purchased are seized before they are removed beyond the limits of the United States.

Foreigners going to Indian settlements within the territorial limits of the U. S. to have passports.

SEC. 3. *And be it further enacted*, That if a foreigner go into any country which is allotted or secured by treaty to either of the Indian tribes, within the territorial limits of the United States, or to which the Indian title has not been extinguished, without a passport first had and obtained from the governor of one of the states or territories of the United States, adjoining the country into which he may go, or the officer of the troops

of the United States, commanding at the nearest post on the frontiers, or such other person as the president of the United States may, from time to time, authorize to grant the same, he shall, on conviction thereof, pay a fine of not less than fifty, or more than one thousand dollars; or be imprisoned not less than one month, or more than twelve months, at the discretion of the court.

SEC. 4. *And be it further enacted*, That trials for offences against this act, shall be had in the courts of the United States, of the territory in which the person accused may be arrested; or in the circuit court of the United States, of the district into which he may be first carried after his arrest. Where trials under this act are to take place.

SEC. 5. *And be it further enacted*, That each and every person charged with a violation of the second section of this act, shall, if arrested, be indicted and tried in one of the courts aforesaid, and that the conviction of the accused, shall authorize the court to cause the goods intended to be sold to, and articles purchased from, the Indians, belonging to him, or taken in his possession, to be sold, one half to the use of the informer, and the other to the use of the United States. But if goods intended to be sold, or articles purchased from, the Indians, contrary to the provisions of this act, should be seized, and the owner or person in possession of them, should make his escape, or from any other cause, cannot be brought to trial, it shall and may be lawful for the United States' attorney, of the territory in which they may be seized, or the district attorney of the United States of the district into which they may have been first carried, after they are seized, to proceed against the said goods, intended to be sold to, or articles purchased from, the Indians, in the manner directed to be observed in the case of goods, wares, or merchandise, brought into the United States in violation of the revenue laws. Goods of persons convicted of violations of the 2d section, to be sold. Goods of persons violating this act, who may abscond, to be proceeded against as in the case of a violation of the revenue laws.

SEC. 6. *And be it further enacted*, That the president of the United States be, and he hereby is, authorized to use the military force of the United States, whenever it may be necessary, to carry into effect this act, as far as it relates to seizure of goods to be sold to, or articles already purchased from, the Indians; or to the arrest of persons charged with violating its provisions. Military force of the U. S. may be used for enforcing this act.

Approved, April 29, 1816.

JAMES MADISON.

CHAPTER XLIX.

An act making provision for the location of the lands reserved by the first article of the treaty of ninth of August, one thousand eight hundred and fourteen, between the United States and the Creek nation, to certain chiefs and warriors of that nation, and for other purposes.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the chiefs and warriors of the Creek nation who, by virtue of the first article of the treaty of the ninth of August, one thousand eight hundred and fourteen,* between the United States and that nation of Indians, are entitled to a reservation of land, which shall include their improvements, shall be authorized to locate said reservation in the following manner, viz:

Chiefs and warriors of the Creek nation authorized to locate their reservations of land.

Manner of location,

Every such chief, or warrior, shall and may select such four quarter sections, or such number of quarter sections and fractional parts of sections, not exceeding six hundred and forty acres of land, as have been or may be surveyed, in pursuance of the act of congress, passed the third day of March, one thousand eight hundred and fifteen, and as shall include their respective improvements. And in case such chief, or warrior, shall have resided at one place, and cultivated a farm or plantation at another place, he may, at his option, select such quarter sections, and fractional parts of sections, as shall include his said separate improvements:—*Provided, however,* That the lands so selected, shall enure to such chief, or warrior, so long only as he shall continue to occupy and cultivate the same; and, in case he shall not have abandoned the possession, shall, on his decease, descend to and vest in his heirs in fee simple, reserving to the widow of such chief or warrior the use and occupation of one-third part of said lands, during her natural life.

Proviso.

Widows and children to have the right of selection as the original claimant.

SEC. 2. *And be it further enacted,* That when any chief or warrior, so entitled to a reservation of land at the time of the signing of the treaty, shall have since died, and left a widow and child or children, who has or have continued to occupy and cultivate the said land, they shall have the right of selection in the same manner as the original claimant would have, if he were living; and the title of the lands, so selected, shall be a fee simple title in the child or children, reserving to the widow, if any, the use and occupation of one-third of the land during her life: *Provided, however,* That the said child or children shall not have the power to alienate the said lands, except by devise, until each and every one of them shall have arrived at the age of twenty-five years.

Proviso.

Descendants of native

SEC. 3. *And be it further enacted,* That the descendant of any native Creek Indian, male or female, who, at the com-

* See the treaty, ante, chap. 8, No. 5.

commencement of the late war with the hostile Creeks, occupied and cultivated a farm or plantation; who continued friendly to the United States during that war; and who, after the termination of hostilities, returned to, and has continued to occupy and cultivate, the said farm or plantation, shall be entitled to a reservation of two quarter sections of land, to be selected in the manner stated in the first section of this act; which lands shall enure to them so long as they shall continue to occupy and cultivate the same; and, on their death, shall descend, in fee, to their children; and on failure of children, shall revert to the United States; reserving, however, to the husband or widow, as the case may be, the right to occupy and cultivate one-third part of the lands during their natural lives.

Creeks who continued friendly, entitled to a reservation.

SEC. 4. *And be it further enacted*, That the child or children of any chief or warrior of the Creek nation, who resided within the limits of the said ceded country, at the commencement of the late Creek war, and who was killed or died in the service of the United States, during said war, or who has since died of wounds received therein, shall be entitled, without payment, to a reservation of so much land as such chief or warrior would have been entitled to, had he been living at the time said treaty was signed; which land shall be located in the manner prescribed by the first section of this act.

The children of any Creek warrior who resided within the limits, and who was killed, entitled to a reservation.

SEC. 5. *And be it further enacted*, That, for the purpose of carrying into effect the provisions of this act, the agent of the United States for the Creek nation shall immediately proceed to take such evidence as each and every person, who may be entitled to lands under the provisions of it, shall be able to adduce in support of such title. The evidence shall, as far as practicable, be taken by the agent on the land occupied by such claimant; and in all cases where he shall be of opinion that the claim is a valid one, the quarter sections, including the improvements, shall be designated as provided for in the first section of this act; and the agent shall, without delay, return to the secretary of the treasury the evidence taken in each case, (reserving a copy thereof) together with the names of the claimants, and the numbers of the quarter sections reserved for them respectively. And the secretary of the treasury, with the approbation of the president, shall finally decide on the validity of such claim.

The agent of the United States for the Creek nation to take evidence.

The secretary of the treasury to decide finally.

SEC. 6. *And be it further enacted*, That the agent shall transmit, without delay, to the register of the land office for the district in which the lands may be, a statement of the names of the claimants, and the numbers of the quarter sections which have been reserved for each claimant; and the register of the land office shall not offer any such quarter section for sale, unless specially directed otherwise by the secretary of the treasury.

The agent to transmit to the register of the land office, the names of claimants and numbers of quarter sections.

Three dollars
per day to the
agent in addi-
tion to salary.

SEC. 7. *And be it further enacted*, That the agent of the United States shall be allowed, in addition to his salary, the sum of three dollars per day, whilst occupied in performing the duties assigned to him by this act; and he shall be authorized to employ a surveyor, in those cases where it may be necessary, for the purpose of ascertaining the quarter sections of land to be allotted to each claimant.

The agent may
employ a sur-
veyor.

SEC. 8. *And be it further enacted*, That the expenses which shall be incurred in carrying into effect this act, shall be paid out of any moneys in the treasury not otherwise appropriated.

Approved, March 3, 1817.

JAMES MADISON.

[*Note.*—The reservations referred to in this act, were, by an act of 20th February, 1819, authorized by Congress to be purchased, and an appropriation was made for that purpose; (see post, chap. 53;) and by the act passed 3d March, 1823, making further appropriations for the military service of the United States, for the year 1823, and for other purposes, a further appropriation of \$50,000, was made for the purchase of all the tracts of land, in the state of Georgia, reserved to Indians, in fee, by the treaties with the Creek Indians, of 9th August, 1814, and 8th January, 1821; and by the treaties with the Cherokee Indians, of 8th July, 1817, and 27th February, 1819. The purchase of the reservations in Georgia, under the latter provision, has been, in a great measure, if not entirely, effected. See the treaties referred to, with the Creek Indians, ante, chap. 8, Nos. 5, 7—and with the Cherokees, ante, chap. 4, Nos. 13, 14.]

CHAPTER L.

An act to provide for the punishment of crimes and offences committed within the Indian boundaries.

Indians or
other persons
committing
offences in In-
dian towns,
to be punish-
ed as if com-
mitted within
the sole juris-
diction of the
U. S.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That if any Indian, or other person or persons, shall, within the United States, and within any town, district, or territory, belonging to any nation or nations, tribe or tribes, of Indians, commit any crime, offence, or misdemeanor, which, if committed in any place or district of country under the sole and exclusive jurisdiction of the United States, would, by the laws of the United States, be punished with death, or any other punishment, every such offender, on being thereof convicted, shall suffer the like punishment as is provided by the laws of the United States for the like offences, if committed within any place or district of country under the sole and exclusive jurisdiction of the United States.

Superior, and
other courts
authorized to
try offences

SEC. 2. *And be it further enacted*, That the superior courts in each of the territorial districts, and the circuit courts and other courts of the United States, of similar jurisdiction

in criminal causes, in each district of the United States, in which any offender against this act shall be first apprehended or brought for trial, shall have, and are hereby invested with, full power and authority to hear, try, and punish, all crimes, offences, and misdemeanors, against this act; such courts proceeding therein in the same manner as if such crimes, offences, and misdemeanors, had been committed within the bounds of their respective districts: *Provided*, That nothing in this act shall be so construed as to affect any treaty now in force between the United States and any Indian nation, or to extend to any offence committed by one Indian against another, within any Indian boundary.

SEC. 3. *And be it further enacted*, That the President of the United States, and the governor of each of the territorial districts, where any offender against this act shall be apprehended or brought for trial, shall have, and exercise, the same powers, for the punishment of offences against this act, as they can severally have and exercise by virtue of the fourteenth and fifteenth sections of an act, entitled "An act to regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontiers," passed thirtieth March, one thousand eight hundred and two, for the punishment of offences therein described.*

against this act.

The president and the governors of territories, invested with the same powers for the punishment of offences against this act as by the sections of the act referred to.

Approved, March 3, 1817.

JAMES MADISON.

CHAPTER LI.

An act directing the manner of appointing Indian agents, and continuing the "Act for establishing trading houses with the Indian tribes."

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the superintendent of Indian trade, the agents and assistant agents of Indian trading houses, and the several agents of Indian affairs, shall be nominated by the President of the United States, and appointed by and with the advice and consent of the Senate.

Superintendent of Indian trade, agents, &c. to be appointed by president and senate.

SEC. 2. *And be it further enacted*, That, from and after the eighteenth instant, no person shall act in either of the characters aforesaid, who shall not have been thus first nominated and appointed. And every agent as aforesaid, before he shall enter upon the duties of his office, shall give bond to the United States, with two or more sufficient securities, in the penal sum of ten thousand dollars, conditioned faithfully to perform

After the 18th April, 1818, no person to act without the consent of the senate.

Agents to give bonds in \$10,000.

* See this act, referred to ante, chap. 44.

all the duties which are or may be enjoined on them as agents as aforesaid.

SEC. 3, *Continues the "act for establishing trading houses with the Indian tribes," until the 1st March, 1819, which was afterwards further continued until the system of Indian trade was abolished by the act of May 6, 1822.**

Approved, April 16, 1818.

JAMES MONROE.

CHAPTER LII.

An act fixing the compensation of Indian agents and factors.

Indian agents and factors to receive the salaries specified.	SEC. 1. <i>Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,</i> That, from and after the passage of this act, Indian agents and factors shall receive the following salaries per annum, in lieu of their present compensation, to wit:
Creek.	The agent to the Creek nation, one thousand eight hundred dollars.
Choctaw.	The agent to the Choctaws, one thousand eight hundred dollars.
Cherokee, on Tennessee river.	The agent to the Cherokees on Tennessee river, one thousand three hundred dollars.
Cherokee, on Arkansas river.	The agent to the Cherokees on the Arkansas river, one thousand five hundred dollars.
Chickasaw.	The agent to the Chickasaws, one thousand three hundred dollars.
In Illinois.	The agent in the Illinois territory, one thousand three hundred dollars.†
At prairie du Chien.	The agent at Prairie du Chien, one thousand two hundred dollars.
At Natchitoches.	The agent at Natchitoches, one thousand two hundred dollars.
At Chicago.	The agent at Chicago, one thousand three hundred dollars.
At Green Bay.	The agent at Green Bay, one thousand five hundred dollars.
At Mackinac.	The agent at Mackinac, one thousand four hundred dollars.
At Vincennes.	The agent at Vincennes, one thousand two hundred dollars.‡
At fort Wayne &c.	The agent at fort Wayne and Piqua, one thousand two hundred dollars.

* See this act, post, chap. 58.

† Transferred, under the authority of the act of March 3, 1819, (which see, post, chap. 57) to Delawares, Shawanees, Kickapoos, &c. west of the Mississippi.

‡ Transferred, under the same authority, to the Sault of St. Mary.

|| This agency is located at Piqua.

The agent to the Lakes, one thousand three hundred dollars.* To the Lakes.

The agent in the Missouri territory, one thousand two hundred dollars. In Missouri.

And all sub-agents, five hundred dollars per annum.† Sub-agents.

SEC. 2. *And be it further enacted*, That all factors shall receive one thousand three hundred dollars, and assistant factors seven hundred dollars per annum.‡ Factors and assistant factors.

SEC. 3. *And be it further enacted*, That the sums hereby allowed to Indian agents and factors shall be in full compensation for their services; and that all rations, or other allowances, made to them, shall be deducted from the sums hereby allowed. The sums allowed to be in full, &c. Rations, &c. to be deducted.

Approved, April 20, 1818.

JAMES MONROE.

[*Note.* Besides the Indian agents authorized to be appointed by this act, there is one at Fort Wayne, appointed under an act of March 3, 1819, (see post, chap. 56) with a salary of \$ 1,200 per annum; one at Council Bluffs, on the Missouri, appointed under the act of March 3, 1819, (see post, chap. 57) with a salary of \$ 1,800 per annum; one for the Florida Indians, appointed under an act of May 6, 1822, (see post, chap. 59, sec. 6) with a salary of \$ 1,500 per annum; one for the Osage Indians, appointed under an act of May 18, 1824, (see post, chap. 61) with a salary of \$ 1,500 per annum; one for the Choctaws west of the Mississippi, appointed under the 9th article of the Choctaw treaty of January 20, 1825, (see ante, chap. 5, No. 8) with a salary of \$ 1,500 per annum; and one for the emigrating party from the Creek nation of Indians to the west of the Mississippi, appointed under the 8th article of the Creek treaty of January 24, 1826, (see ante, chap. 42) with a salary of \$ 1,600 per annum.—There is also a superintendent of Indian affairs at St. Louis, appointed under an act of May 6, 1822,) see post, chap. 59, sec. 6,) with a salary of \$ 1,500 per annum.]

CHAPTER LIII.

An act authorizing the President of the United States to purchase the lands reserved by the act of the third of March, eighteen hundred and seventeen, to certain chiefs, warriors, or other Indians of the Creek nation.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That it shall be lawful for the President of the The president may purchase any tract of land reserved,

* Transferred, under the same authority as above, to the Falls of St. Anthony, Upper Mississippi.

† Besides this general provision for sub-agents, there are two specially authorized, and appointed, under an act of 25th May, 1824, (see post, chap. 62) for the Indian tribes on the waters of the Upper Missouri, with a salary of \$ 800 each, per annum.

‡ The offices of factor and assistant factor, being connected with "The United States' Trading Establishment with the Indian tribes," ceased after the passage of the act of May 6, 1822, to abolish that establishment; which see, post, chap. 58.

by act of 3d
March, 1817,
to the Creeks.
* Ante, chap.
49.

United States to purchase for, and on behalf of the United States, any tract or tracts of land, reserved by the act of the third day of March, eighteen hundred and seventeen,* to the chiefs, warriors, or other Indians, of the Creek nation, which they, or either of them, may be disposed to sell; and the amount of such purchase shall be paid out of any money in the treasury not otherwise appropriated.

Lands acquir-
ed by virtue
of this act to
be offered for
sale upon such
days as the
President may
designate.

SEC. 2. *And be it further enacted*, That any tract or tracts of land, the title to which may be acquired by the United States, by virtue of this act, shall be offered at public sale, at the land offices of the district in which they may be situated, upon such day or days as the President shall, by proclamation, designate for that purpose, in the same manner, and on the same conditions and terms of credit, as are provided by law for the sale of public lands of the United States; and patents shall be granted therefor, as for other public lands and town lots sold by the United States.

Approved, February 20, 1819.

JAMES MONROE.

CHAPTER LIV.

An act supplementary to the act, entitled "An act to provide for the prompt settlement of public accounts.†

The 2d audi-
tor to receive
unsettled ac-
counts of In-
dian affairs,
except, &c.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That, from and after the third day of March next, it shall be the duty of the second auditor of the treasury, to receive all unsettled accounts arising out of Indian affairs, with the exception of those appertaining to Indian trade, and examine the same, and thereafter certify the balance, and transmit the accounts, with the vouchers and certificates, to the second comptroller, for his decision thereon: *Provided*, That if, in the opinion of the President of the United States, the public interest and convenience would be promoted by assigning all, or any part of, the said accounts to the third auditor, he shall be, and hereby is, authorized to make such assignment accordingly.

Proviso.

Duty of the
auditor char-
ged with the
examination
of the ac-
counts.

SEC. 2. *And be it further enacted*, That it shall be the duty of the auditor charged with the examination of the accounts, as aforesaid, to keep all accounts of the receipts and expenditures of the public money in regard to them; to receive

† This act relates particularly to the settlement of the accounts of superintendents and agents for Indian affairs. The act to which it is supplementary, passed at the 2d session 14th Congress, on the 3d March, 1817, and relates to the settlement of public accounts generally.

from the second comptroller the accounts which shall have been finally adjusted, and to preserve such accounts, with the vouchers and certificates. And it shall be the duty of the said auditor to make such reports on the business hereby assigned to him, as the Secretary of War may deem necessary, and require, from time to time, for the service of the War Department.

SEC. 3. *And be it further enacted*, That the Treasurer of the United States shall disburse all such moneys as shall have been previously ordered for the use of the Indian Department, with the exception of those relating to Indian trade before-mentioned, by warrants from the Treasury; which disbursements shall be made pursuant to warrants drawn by the Secretary of War, and countersigned by the second comptroller, and registered by the second and third Auditor, as the case may be.

The treasurer to disburse moneys for Indian department by warrants from the treasury, except, &c. Warrants to be drawn by the secretary of war, &c.

SEC. 4. *And be it further enacted*, That so much of the act to which this is a supplement, as is inconsistent with this act, be, and the same is hereby repealed.

So much of the act of 3d March, 1817, as is inconsistent with this, repealed.

Approved, February 24, 1819.

JAMES MONROE.

CHAPTER LV.

An act making provision for the civilization of the Indian tribes adjoining the frontier settlements.*

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That, for the purpose of providing against the further decline and final extinction of the Indian tribes, adjoining to the frontier settlements of the United States, and for introducing among them the habits and arts of civilization, the President of the United States shall be, and he is hereby, authorized, in every case where he shall judge improvement in the habits and condition of such Indians practicable, and that the means of instruction can be introduced with their own consent, to employ capable persons, of good moral character, to instruct them in the mode of agriculture suited to their situation; and for teaching their children in reading, writing, and arithmetic, and for performing such other duties as may be enjoined, according to such instructions and rules as the President may give and prescribe for the regulation of their conduct, in the discharge of their duties.

The president authorized to employ capable persons to instruct Indians adjoining frontier settlements, where practicable, in agriculture, and to teach Indian children, &c.

SEC. 2. *And be it further enacted*, That the annual sum of ten thousand dollars be, and the same is hereby, appro-

Annual appropriation.

* See regulations under this act, in appendix, No. 5.

Account of
expenditure,
&c. to be laid
before Con-
gress.

appropriated for the purpose of carrying into effect the provisions of this act; and an account of the expenditure of the money, and proceedings in execution of the foregoing provisions, shall be laid annually before Congress.

Approved, March 3, 1819.

JAMES MONROE.

CHAPTER LVI.

An act making appropriations to carry into effect treaties concluded with several Indian tribes therein mentioned.

The 1st, 2d, 3d, 4th, 5th, 6th, and 7th sections make the necessary appropriations to carry into effect the several Indian treaties specified.

An agent to
be appointed,
to reside
among the
Wyandots &c.
An agent
among the
Shawanees.
\$1200 per
annum for
each agent.

SEC. 8. *And be it further enacted,* That there be appointed, agreeably to the ninth article of the treaty concluded with the Wyandot, Seneca, Delaware, Shawanee, Pattawattima, Ottawa, and Chippewa tribes of Indians, on the twenty-ninth day of September, one thousand eight hundred and seventeen,* an agent to reside among or near the Wyandots, who shall also execute the duties of agent for the Senecas, and the Delawares on the Sandusky river; and an agent to reside among or near the Shawanees; who shall each receive twelve hundred dollars per annum, as a full compensation for their services.

Approved, March 3, 1819.

JAMES MONROE.

CHAPTER LVII.

An act to continue in force, for a further term, the act, entitled "An act for establishing trading houses with the Indian tribes,"† and for other purposes.

SEC. 1. *Continues the act referred to in the title, until the 1st of March, 1820.*

The president
may transfer
Indian agents:

And with con-
sent of the se-

SEC. 2. *And be it further enacted,* That the president of the United States shall have power, and he is hereby authorized, in every case where he shall judge it expedient, to transfer any of the Indian agents, whose compensation was fixed by the act, entitled "an act fixing the compensation of Indian agents and factors,"‡ from the places designated by the said act, for the discharge of their duties, respectively, to such other places as the public service may require; and shall also have

* See the treaty, ante, chap. 3, No. 17.

† Abolished, by act of 6th May, 1822. (See post, chap. 58.)

‡ See ante, chap. 52.

power to appoint, by and with the consent and advice of the Senate, an Indian agent for the Upper Missouri, whose annual compensation shall be one thousand eight hundred dollars.

Approved, March 3, 1819.

JAMES MONROE.

CHAPTER LVIII.

An act to abolish the United States' trading establishment with the Indian tribes.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

That the president of the United States shall be, and hereby is, authorized and required to cause the business of the United States' trading houses among Indian tribes to be closed, and the accounts of the superintendent of Indian trade, and of the factors and sub-factors, to be settled; and, for that purpose, the president is hereby authorized to select, from among the Indian agents, or others, a competent number of fit and suitable persons, to be and appear at the office of Indian trade in Georgetown, in the District of Columbia, and at each of the trading houses established among Indian tribes, on or before the third day of June next, or as soon thereafter as can conveniently be done, to demand and receive of and from the superintendent of Indian trade, and of the respective factors and sub-factors, all the goods, wares, merchandise, furs, peltries, evidences of debt, and property and effects of every kind, which may be in their power or possession, by virtue of their respective offices, and justly due and belonging to the United States; and the said agents, selected for the purpose aforesaid, shall be furnished with the copies of the latest quarterly returns of the said superintendent, factors, and sub-factors, as rendered by them to the treasury department, and copies of any other papers in the said department which will shew what is, or ought to be, due and coming to the United States, from the said office of Indian trade in Georgetown, and from each of the trading houses established among Indians. And the persons so selected shall enter into bond, with good and sufficient security, in such sums as may be required by the president of the United States, for the faithful discharge of the duties enjoined on them by the provisions of this act. And, from and after the third day of June next, the act of the second of March, one thousand eight hundred and eleven, entitled "An act for establishing trading houses with Indian tribes,"* shall be continued in force for the purposes only of enforcing all bonds,

The president authorized and required to cause the Indian trading houses to be closed, and the accounts to be settled.

The president to select a competent number of suitable agents to receive the goods, furs, peltries, evidences of debt, &c.

Agents to be furnished with documents from the Treasury Department, to enable them to ascertain what is due and coming to the U. States.

The agents to enter into bond with security, for the faithful discharge of their duties.

After 3d June, 1822, the act of 2d March, 1811, to con-

* Page 340, vol. 4, Laws U. States.

tinue in force only for enforcing of bonds, contracts, &c.

The goods delivered over to the agents, placed at the disposition of the president, subject, under his orders, to satisfying the treaty obligations of the U States with the Indian tribes.

The surplus, if any, to be sold to the best advantage.

Furs, &c. to be sold as the president may direct: debts to be collected under his orders, &c.

Proviso.

The president to communicate, at the next session of Congress, the manner in which the act has been executed; the moneys, furs, and goods, received.

debts, contracts, demands, and rights, which may have arisen, and all penalties and punishments which may have been, or may be, incurred under the provisions of the said act, and for the settlement of the accounts of the superintendent, factors, and sub-factors, at the Treasury Department.

SEC. 2. *And be it further enacted*, That the goods, wares, and merchandise, which shall be delivered over to the agents of the United States, under the provisions of this act, shall be placed at the disposition of the president of the United States, subject, under his orders, towards satisfying or extinguishing the treaty obligations on the part of the United States, to keep up trading houses with the Indians; also, towards the payment of annuities due, or to become due, to Indian tribes; also, in making the customary presents to tribes or individuals in amity with the United States; and the surplus, if any, may be sold to the best advantage, under the orders of the president, and the proceeds paid over to the treasury of the United States.

SEC. 3. *And be it further enacted*, That the furs, peltries, effects, and property, received under the first section of this act, shall be sold in the manner the president may direct; the debts due and owing shall be collected under his orders; and all the money received from these sources, and all that shall be received from the superintendent of Indian trade, and from the factors, and sub-factors, shall be paid over, as fast as received, into the treasury of the United States: *Provided*, That such sums may be retained and applied, under the orders of the president of the United States, as may be necessary to defray the expenses of carrying this act into effect.

SEC. 4. *And be it further enacted*, That, as soon as may be after the commencement of the next session of Congress, the president of the United States shall communicate to Congress the manner in which he shall have caused this act to be executed, shewing the amount of moneys, furs, peltries, and other effects, and the amount and description of goods, wares, and merchandise, and the actual cash value thereof, received from the superintendent of Indian trade, and each of the factors and sub-factors, under the provisions of this act.

Approved, May 6, 1822.

JAMES MONROE.

[*Note*.—The original act establishing the system of Indian trade abolished by this act, was passed for a limited period, April 18, 1796, and was revived and continued in force, from time to time, with some modifications, by acts of April 30, 1802—February 28, 1803—March 3, 1805—April 21, 1806—March 3, 1809—March 2, 1811—March 3, 1815, which last act continued it until March 4, 1817; after which the system of Indian trade established and continued, under the several acts referred to, was annually continued by special acts passed for the purpose, until it was finally abolished by the foregoing act of May 6, 1822.]

CHAPTER LIX.

An act to amend an act, entitled "An act to regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontiers,"* approved thirtieth March, one thousand eight hundred and two. *Act amended, ante, chap. 44.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the seventh section of the act, entitled "An act to regulate trade and intercourse with the Indian tribes and to preserve peace on the frontiers,"† shall be, and the same is hereby, repealed; and from and after the passing of this act, it shall be lawful for the superintendents of Indian affairs in the territories, and Indian agents, under the direction of the president of the United States, to grant licenses to trade with Indian tribes; which licenses shall be granted to citizens of the United States, and to none others, taking from them bonds with securities, in the penal sum not exceeding five thousand dollars, proportioned to the capital employed, and conditioned for the due observance of the laws regulating trade and intercourse with the Indian tribes; and said licenses may be granted for a term not exceeding seven years for the trade with the remote tribes of Indians beyond the Mississippi, and two years for the trade with all the other tribes. And the superintendents and agents shall return to the Secretary of War, within each year, an abstract of all licenses granted, shewing by and to whom, when, and where, granted, with the amount of the bonds and capital employed, to be laid before Congress, at the next session thereof. The 7th section of the act of 30th March, 1802, repealed. Superintendents and agents may grant licenses. Licenses to be granted only to citizens, who are to give bond with securities. Licenses for 7 years for trade with remote tribes, and 2 with others. Superintendents and agents to return abstract of licenses to be laid before Congress.

SEC. 2. *And be it further enacted,* That it shall and may be lawful for the president of the United States, in execution of the power vested in him by the twenty-first section of the act of thirtieth of March, one thousand eight hundred and two, aforesaid, to which this is an amendment, to direct Indian agents, governors of territories acting as superintendents of Indian affairs, and military officers, to cause the stores and packages of goods of all traders to be searched, upon suspicion or information that ardent spirits are carried into the Indian countries by said traders in violation of the said twenty-first section of the act to which this is an amendment; and if any ardent spirits shall be so found, all the goods of the said traders shall be forfeited, one half to the use of the informer, the other half to the use of the government, his license cancelled, and bond put in suit. The president may direct Indian agents to cause the stores and packages of goods of traders to be searched for ardent spirits. If ardent spirits are found, the goods are forfeited; half to the informer, &c.

SEC. 3. *And be it further enacted,* That all purchases for and on account of Indians, for annuities, presents, and otherwise, shall be made by the Indian agents and governors of ter- All purchases of annuities for Indians, to be made by

† See ante, chap. 44.

agents and governors of territories acting, &c.

Persons trusted with the disbursement of money, goods, &c. to settle their accounts annually.

Copies of the accounts to be laid before Congress, with a list, &c.

In trials about the right of property, where Indians are a party, the burthen of proof to rest upon the white person.

The president may require additional security, for the disbursement of money.

The president may appoint a superintendent at St. Louis, at 1500 dolls. per ann.

And an agent in E. and W. Florida, at 1500 dollars.

territories acting as superintendents, within their respective districts; and all persons whatsoever, charged or trusted with the disbursement or application of money, goods, or effects, of any kind, for the benefit of Indians, shall settle their accounts annually, at the War Department, on the first day of September; and copies of the same shall be laid before Congress at the commencement of the ensuing session, by the proper accounting officer,* together with the list of the names of all persons to whom money, goods, or effects, had been delivered within the said year, for the benefit of the Indians, specifying the amount and object for which it was intended, and shewing who are delinquent, if any, in forwarding their accounts according to the provisions of this act.

SEC. 4. *And be it further enacted*, That, in all trials about the right of property, in which Indians shall be party on one side and white persons on the other, the burthen of proof shall rest upon the white person, in every case in which the Indian shall make out a presumption of title in himself from the fact of previous possession and ownership.

SEC. 5. *And be it further enacted*, That it shall and may be lawful for the president of the United States, from time to time, to require additional security, and in larger amounts, from all persons charged or trusted, under the laws of the United States, with the disbursement or application of money, goods, or effects, of any kind, for the benefit of the Indians.

SEC. 2. *And be it further enacted*, That the president of the United States, by and with the advice and consent of the Senate, may appoint a superintendent of Indian affairs;† to reside at St. Louis, whose powers shall extend to all Indians frequenting that place, whose salary shall be fifteen hundred dollars per annum; and one agent for the tribes within the limits of East and West Florida, with a salary of fifteen hundred dollars.

Approved, May 6, 1822.

JAMES MONROE.

CHAPTER LX.

An act concerning the Disbursement of Public Money.‡

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America, in Congress*

*Second Auditor of the Treasury. See chap. 54.

† The superintendent of Indian affairs is, by act of 25th May, 1824, vested with the powers of governors of territories, (who are, ex officio, superintendents of Indian affairs,) and subjected to the same duties as are required of them in that capacity. (See post. chap. 62, Sec. 5.)

‡ This act is applicable to Indian agents, as well as to other officers of the government; and is therefore inserted.

assembled, That, from and after the passing of this act, no advance of public money shall be made in any case whatever ; but in all cases of contracts for the performance of any service, or the delivery of articles of any description, for the use of the United States, payment shall not exceed the value of the service rendered, or of the articles delivered previously to such payment: *Provided*, That it shall be lawful, under the special direction of the president of the United States, to make such advances to the disbursing officers of the government, as may be necessary to the faithful and prompt discharge of their respective duties, and to the fulfilment of the public engagements: *And provided, also*, That the president of the United States may direct such advances, as he may deem necessary and proper, to such persons in the military and naval service as may be employed on distant stations, where the discharge of the pay and emoluments to which they may be entitled, cannot be regularly effected.

No advance of public money to be made.

Proviso.

Proviso.

SEC. 2. *And be it further enacted*, That every officer or agent of the United States, who shall receive public money which he is not authorized to retain, as salary, pay, or emolument, shall render his accounts quarter-yearly to the proper accounting officers of the Treasury, with the vouchers necessary to the correct and prompt settlement thereof, within three months, at least, after the expiration of each successive quarter, if resident within the United States ; and within six months if resident in a foreign country: *Provided*, That nothing herein contained shall be construed to restrain the secretaries of any of the Departments from requiring such returns from any officer or agent, subject to the control of such secretaries, as the public interest may require.

Officers or agents of the U. S. to account quarter-ly.

Proviso-

SEC. 3. *And be it further enacted*, That every officer or agent of the United States, who shall offend against the provisions of the preceding sections, shall, by the officer charged with the direction of the department to which such offending officer is responsible, be promptly reported to the president of the United States, and dismissed from the public service: *Provided*, That in all cases, where any officer, in default as aforesaid, shall account to the satisfaction of the president for such default, he may be continued in office, any thing in the foregoing provision to the contrary notwithstanding.

Officers or agents offending against the preceding sections, to be promptly reported to the president, and dismissed from the public service.

SEC. 4. *And be it further enacted*, That no security given to, or obligation entered into with, the government, shall be in any wise impaired, by the dismissing any officer, or from failure of the president to dismiss any officer coming under the provisions of this act.

No security given to, or obligation entered into with, the government to be impaired.

Approved, January 31, 1823.

JAMES MONROE.

CHAPTER LXI.

An act providing for the appointment of an agent for the Osage Indians, west of the state of Missouri, and territory of Arkansas, and for other purposes.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the President of the United States be, and he is hereby authorized to appoint an agent for the Osage Indians, west of the state of Missouri and territory of Arkansas; who shall receive for his compensation the sum of fifteen hundred dollars, in full, and that all rations or other allowances made to him, shall be deducted from the sum hereby allowed.

An agent to be appointed to the Osage Indians.

Indian agents to keep their agencies in or near the tribe or tribe for which they are, respectively, the agents.

SEC. 2. *And be it further enacted,* That it shall be the duty of each Indian agent, to reside and keep his agency within, or near the territory, claimed by the tribe or tribes of Indians for which he may be agent, at such place as the President of the United States may designate.

Approved, May 18, 1824.

JAMES MONROE.

CHAPTER LXII.

An act to enable the President to hold treaties with certain Indian tribes, and for other purposes.

SEC. 1, *Appropriates \$10,000 for making treaties of trade and friendship with the Indian tribes beyond the Mississippi.*

SEC. 2, *Authorizes the appointment of commissioners to hold said treaties.*

SEC. 3. *And be it further enacted,* That the President shall be, and hereby is, authorized to appoint two sub-agents to be employed among the Indian tribes, on the waters of the Upper Missouri, whose annual salary shall be eight hundred dollars each, to be paid out of any money in the treasury not otherwise appropriated.

Object for which the appropriation was made, and commissioners appointed.

Two sub-agents to be employed.

Indian agents to designate convenient places for carrying on trade.

SEC. 4. *And be it further enacted,* That it shall be the duty of Indian agents to designate, from time to time, certain convenient and suitable places for carrying on trade with the different Indian tribes, and to require all traders to trade at the places thus designated, and at no other place or places.

The power vested in the superintendent of Indian

SEC. 5. *And be it further enacted,* That the superintendent of Indian affairs at St. Louis, and his successors in office, shall possess all the powers, and be subject to all the duties of

governors of territories,* when exercising the office of superintendents of Indian affairs, and shall exercise a general supervision of the official conduct and accounts of Indian agents, within his superintendency.

SEC. 6, *Appropriates \$10,000 for a military escort, to attend the commissioners to be appointed under the 2d section of this act.*

Approved, May 25, 1824.

JAMES MONROE.

CHAPTER LXIII.

An act providing for the disposition of three several tracts of lands in Tuscarawas county, in the state of Ohio, and for other purposes.†

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the three several tracts of land, lying in the county of Tuscarawas, in the state of Ohio, lately retroceded to the United States by the society of United Brethren, for propagating the gospel among the heathen, shall be surveyed and laid off into such lots, having regard to the existing surveys and improvements thereon, as will best conduce to the sale thereof: *Provided,* That the lots and tracts which the United States are bound to convey to the said society, shall be laid off according to the contract for retrocession: *And provided also,* That a suitable number of in-lots and out-lots, in the town of Gnadenhutten, shall be laid off for said town, embracing the improved part thereof, and the fields adjoining, now occupied by the inhabitants, which shall be platted and

affairs at St. Louis.

Three tracts of land in the county of Tuscarawas, Ohio, to be surveyed and laid off into lots.

Proviso.

Proviso.

* The governors of territories, are made by the laws of the United States, relating to territories, ex-officio superintendents of Indian affairs; under the authority of which, they exercise over the Indian agents, and every thing relating to Indian affairs, within their respective territories, a superintending control.

† The lands to which this act relates, were purchased under the following provision of the act of Congress of 3d March, 1823, "Making further appropriations for the military service of the United States, for the year 1823, and for other purposes." "To enable the President of the United States to take such measures as may be necessary, to purchase the right, title, and interest, which certain Indians have in three several tracts of land of four hundred acres each, lying in the county of Tuscarawas, in the state of Ohio, which were granted by Congress, in seventeen hundred and ninety-six, to the society of the United Brethren, in trust, for the sole benefit of said Indians, the purchase to be made with the consent of said society, one thousand dollars." Governor Cass was appointed to make the purchase, which he effected according to the intention of Congress, by entering into the agreement referred to in the latter part of the 7th section of this act, which agreement, with the papers connected therewith, is filed in the General Land Office, and to carry into effect which, this act was passed.

numbered, and a copy recorded in said county, according to the laws of Ohio.

An agent to be appointed, to reside near said land—duty of said agent.

SEC. 2. *And be it further enacted*, That the secretary of the treasury shall be, and is hereby, authorized to appoint an agent, who shall reside near the said land, whose duty it shall be to superintend and direct the survey of said land and lots; to receive and pay over to the treasury the rents due, and to become due, on said lands; to take possession of such parts of said lands as may be forfeited by the tenants, by reason of non-performance of the covenants in their leases, to ascertain the actual cash value of each of the lots and town lots, with the improvements thereon, and, also, the value of each, subject to the conditions of the lease outstanding on it, by the aid of two disinterested appraisers, to be selected by the Secretary of the Treasury, to ascertain the award to be made to Isaac Simmers, Jesse Walton, Barzillai Walton, Jesse Hill, and Boaz Walton, according to their leases; to receive a surrender of such of the leases outstanding on such lands, as the holders thereof may be disposed to make, who have, or shall first comply with the conditions of their leases, up to the time of the surrender; to superintend the sale of said lands and lots, and to transfer to the purchasers who shall buy any of said land or lots, subject to the leases thereon, the lease of the lot or land so bought; and to do whatever else may be necessary to effect a speedy and advantageous disposition of said lands and lots.

A right of pre-emption to be allowed John Andreas, and others.

Proviso.

SEC. 3. *And be it further enacted*, That a right of pre-emption shall be allowed to John Andreas, John Neigamen, Jacob Winsh, and Catharine Tshudy, at the real cash value of the lots occupied by them, according to the stipulations of the said agreement for retrocession, and to any of the lessees, for any lot embracing their lease; and also, to the said society of United Brethren, for any of the remaining lots, or town lots, to an amount not exceeding the amount stipulated to be paid to them by the United States: *Provided*, That any of the persons entitled to pre-emption, who shall be desirous to avail themselves of such right, shall give notice to the said agent of such their intention, before the cash value of the lots is ascertained; and, in the case of the lessees, shall, at or before the time of giving such notice, pay all arrears of rent, and surrender their leases; and shall, immediately after the said cash value is ascertained, be entitled to a patent for the lot or land to which they are entitled, as aforesaid, on paying the amount of such cash value; or, in the case of the society, on their executing and delivering to said agent a discharge to the United States, for so much as said lot or land, whereto a pre-emption is claimed, shall amount to, on account of any sum to become due them by reason of the stipulations in said retro-

cession; and no right to such pre-emption shall be considered as extending beyond the time of commencing the sale of said lands, as hereinafter directed.

SEC. 4. *And be it further enacted,* That the Secretary of the Treasury may cause to be designated and allowed for public use, the usual ground for streets and alleys in said town, for public ground, and for schools; and may, moreover, cause to be designated and set apart, one lot in each of said tracts, not exceeding one thirty-sixth part of each, the title whereof shall be vested in the legislature of the state of Ohio, and held in trust for the use of schools, in the same manner as other lands granted by the United States for the use of schools, are held in that state.

SEC. 5. *And be it further enacted,* That immediately after the said surveys shall be completed, the cash value ascertained, and the school lands designated, the said agent shall give notice, by advertisement in one newspaper in Washington City, and one in Steubenville, one in Zanesville, and one in New-Philadelphia, Ohio, of the time, not less than sixty days from the first publication, when he will offer the said lands and lots for sale, at public vendue, at the court-house in New-Philadelphia, aforesaid; and shall, at such time and place, proceed to offer for sale, to the highest bidder, any of said lands or lots, remaining undisposed of, in the manner hereinbefore provided for; and none of said lots, or land, shall be put up at a less sum than the actual cash value ascertained as aforesaid; and in case any of said lessees shall have failed, or refused to surrender their leases, the sale shall be made subject to those leases; and each purchaser who may purchase at such sale, shall immediately pay to the said agent the amount of his purchase, and take his receipt for the amount, specifying the lot or land purchased; upon which the purchaser shall be entitled to a patent as other purchasers of public lands are: but in case any purchaser shall fail to make his payment as aforesaid, at or before the close of the sale, he shall be considered as having forfeited his purchase, and the land struck off to him shall be again offered for sale, in the same manner as if it had never been struck off; and the said agent, immediately after the close of such sale, shall pay over the money received at such sale, and for rent, to the United States, and report all his proceedings to the general land office; and the President shall be, and he is hereby, authorized, whenever the boundaries of the several lots stipulated to be conveyed to the said society shall be ascertained, to issue patents therefor to said society.

SEC. 6. *And be it further enacted,* That the agent herein provided for, shall take an oath of office, and give bond and security, in such sum and form as the secretary of the treasury may direct, and be allowed and paid for his services a salary at

The usual ground for streets and alleys in said town, to be allowed for public use.

After the surveys are made, &c. the agent shall give notice through certain newspapers.

Said agent to take an oath and give security.

To receive
\$500 annually.
Proviso.

the rate of six hundred dollars per annum: *Provided*, That said office shall not continue longer than is necessary to perform the duties herein required, and not longer than one year; and said salary, together with the incidental expenses attending the said survey and sale, shall be charged to the fund to be raised by the sale of said lots and land. The said appraisers shall be allowed the sum of two dollars for each day actually employed in the appraisement aforesaid, and neither the said agent nor appraisers shall be at liberty to purchase any of the said lands or lots.

Any land or
lots remaining
unsold at pub-
lic auction,
shall be sub-
ject to entry
and sale, at
the land office
in Zanesville.

Duty of the
accounting of-
ficers of the
treasury.

SEC. 7. *And be it further enacted*, That, if any such land or lots remain unsold at public auction, as aforesaid, the same shall be subject to entry and sale at the land office in Zanesville, in Ohio, at the actual cash price, ascertained as aforesaid, in the same manner that other lands of the United States are authorized to be entered; and it shall be the duty of the accounting officers of the treasury department to keep a separate account of the proceeds of the lots and lands aforesaid, and of all moneys received and disbursed on account thereof; and, after the expenses of survey and sale of said lots and land shall be re-imbursed, it shall be the duty of the secretary of the treasury to pay to the said society the sums stipulated to be paid them, and for which they shall not have taken lands and lots as hereinbefore provided for; to pay to the said Simmers, Hill, and Waltons, the sums awarded to them; and then to credit the residue of the proceeds of said lots and lands, as they shall be received, to the fund for raising the annuity for the Christian Indians, so called, in the manner stipulated in the agreement entered into with them on the eighth of November, one thousand eight hundred and twenty-three.

Annuity for
Christian In-
dians.

Course to be
pursued by
the president
in case the
Christian In-
dians wish to
remove from
their resi-
dence on the
river Thames.

SEC. 8. *And be it further enacted*, That, whenever the said Christian Indians shall notify the President of the United States that they wish to remove from their present residence, on the river Thames, into the territory of the United States, it shall be lawful for the President to designate a reservation of not less than twenty-four thousand acres of land, to be held by the said Indians in the usual manner of Indian reservations, so long as they shall live thereon; and from the time said Indians shall remove on to said reservation, the said annuity shall cease.

Approved, May 26, 1824.

JAMES MONROE.

CHAPTER LXIV.

An act reserving to the Wyandot tribe of Indians a certain tract of land, in lieu of a reservation made to them by treaty.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be, and hereby is reserved, for the use of the chiefs and tribe of Wyandot Indians, subject to the conditions and limitations of the former reservation, the northeast quarter of section numbered two, in township two, and range seventeen, south of the base line of land, in the Delaware land district, in the state of Ohio, in lieu of one hundred and sixty acres of land, on the west side of, and adjoining, the Sandusky river; and which was reserved to said tribe of Indians, by a supplementary treaty between the United States and certain tribes of Indians, held at St. Mary's, in the state of Ohio, on the seventeenth day of September, eighteen hundred and eighteen;* on condition that the chiefs of said Wyandot tribe first relinquish to the United States all the right, title, and claim, of said tribe, to the one hundred and sixty acres of land reserved by said supplementary treaty.

The north quarter section numbered 2, in township 2, and range 17, in the Delaware land district, Ohio, reserved for the use of the Wyandot Indians.

*See the treaty, ante, chap. 3, No. 17.

Approved, May 26, 1824.

JAMES MONROE.

CHAPTER LXV.

An act to authorize the president of the United States to cause a road to be marked out from the western frontier of Missouri, to the confines of New Mexico.†

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the president of the United States be, and he hereby is, authorized to appoint commissioners to mark out a road from the western frontier of the state of Missouri, to the boundary line of the United States, in the direction to Santa Fe, of New Mexico: *Provided,* That the said commissioners shall first obtain the consent of the intervening tribes of Indians, by treaty, to the marking of the said road, and to the unmolested use thereof to the citizens of the United States, and of the Mexican Republic.

The president of the U. S. to appoint commissioners to mark a road from the western frontier of Missouri to the confines of New Mexico. *Proviso.*

SEC. 2. *And be it further enacted,* That the president of the United States be, and he hereby is, authorized to cause the marking of the said road to be continued from the boundary line of the United States to the frontier of New Mexico, under such regulations as may be agreed upon for that purpose be-

Continuation of said road.

† Also authorizes treaties to be held with Indians.

tween the executive of the United States, and the Mexican government.

\$10,000 appropriated to defray the expenses of said road; and \$20,000 to treat with the Indians.

SEC. 3. *And be it further enacted*, That the sum of ten thousand dollars be, and the same hereby is, appropriated, to defray the expenses of marking the said road; and the further sum of twenty thousand dollars, to defray the expenses of treating with the Indians, for their consent to the establishment and use thereof; the said sums to be paid out of any money in the treasury not otherwise appropriated.

Approved, March 3, 1825.

JAMES MONROE.

[*Note.* The commissioners appointed under this act, to mark the road, and to hold treaties with the Indians for their consent, to the establishment and use thereof, are progressing with their duties, and the objects of the act, of course, not yet accomplished.]

CHAPTER LXVI.

*See the act to which this is a supplement, ante, chap. 53, page 403.

An act supplementary to "an act providing for the disposition of three several tracts of land in Tuscarawas county, in the state of Ohio, and for other purposes," passed the twenty-sixth day of May, one thousand eight hundred and twenty-four.

Secretary of the treasury to adopt measures to carry into effect the act referred to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the secretary of the treasury be, and he is hereby, authorized to adopt such measures as, in his judgment, the interests of the United States, and the parties concerned, may require, for the purpose of carrying into full and complete effect the provisions of the act to which this is a supplement, and the intentions of Congress, as expressed in said act.

Approved, May 20, 1826.

JOHN Q. ADAMS.

CHAPTER LXVII.

An act to enable the president to hold treaties with certain Indian tribes.

\$15,000 appropriated to hold treaties with the Miamies, Pottawattamies, &c.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of fifteen thousand dollars, to be paid out of any money in the treasury, not otherwise appropriated, shall be, and the same hereby is, appropriated, to defray the expense of holding treaties with the Miami and Pottawattami tribes of Indians, and any other tribes claiming lands, in the state of Indiana.

Approved, May 20, 1826.

JOHN Q. ADAMS.

CHAPTER LXVIII.

An act to enable the president of the United States to hold a treaty with the Choctaw and Chickasaw nations of Indians.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the sum of twenty thousand dollars be, and \$20,000 appropriated to hold treaties with Choctaws and Chickasaws. the same is hereby, appropriated to defray the expenses of treating with the Choctaw and Chickasaw nations of Indians for the purpose of extinguishing their titles to lands within the limits of the state of Mississippi. The said sum to be paid out of any money in the treasury not otherwise appropriated.

SEC. 2. *And be it further enacted*, That, for the purpose of negotiating said treaty on the part of the United States, the president shall be, and he hereby, is authorized to appoint commissioners after the adjournment of the present session of congress, or at an earlier period, if practicable, and to fix their compensation, so as not to exceed what has been heretofore allowed for like services. President to appoint commissioners.

Approved, May 20, 1826.

JOHN Q. ADAMS.

CHAPTER LXIX.

An act making appropriations to defray the expense of negotiating and carrying into effect certain Indian treaties.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, Appropriations to carry into effect sundry Indian treaties. appropriated out of any money in the treasury not otherwise appropriated, for the objects hereinafter mentioned, that is to say:

To carry into effect sundry stipulations of treaties with the Cherokees, Creeks, Socks, and Foxes, Ioways, Quapaws, and Choctaws, namely:

For payment of the annuity provided for by the second article of the Cherokee treaty, of twenty-fourth of October, eighteen hundred and four, annually, forever, one thousand dollars. Annuity to Cherokees. See art. of treaty referred to, ante, page 127.

For payment of the fifth and last instalment, due in the present year, on the claims of the citizens of Georgia, against the Creek nation, under the fourth article* of the treaty with said nation, of the eighth January, eighteen hundred and twenty-one, twenty-three thousand dollars. Claims of citizens of Georgia against Creek nation. *See ante, p. 214.

For the annuity of the Sock and Fox Indians, provided for Annuity of Socks.

*See ante,
page 242.

by the third article* of the treaty with them of fourth August, eighteen hundred and twenty-four, annually, for nine years, one thousand dollars.

Annuity of
the Ioways.
*Ante, p. 288.

For the annuity of the Ioways, provided for by the second article* of the treaty with them, of fourth August, eighteen hundred and twenty-four, annually, for nine years, five hundred dollars.

Blacksmiths,
&c. for Socks,
Foxes, and
Ioways.

For the expense, annually, of supporting blacksmiths, furnishing farming utensils and cattle, and employing persons to aid the Socks and Foxes and Ioways, in agriculture, as provided for by the fourth and fifth articles† of the aforesaid treaties with them, three thousand dollars.

†Ante, pages
242 and 288.

Annuity to
Quapaws.
‡Ante, p. 308.

For the annuity of the Quapaws, provided for by the second article‡ of the treaty with them, of fifteenth November, eighteen hundred and twenty-four, annually, for ten years, one thousand dollars.

Annuities to
Choctaws.
||Ante, p. 172.

For the annuities provided for by the second and third articles|| of the treaty of twentieth January, eighteen hundred and twenty-five, with the Choctaw nation, (six thousand dollars annually, for fifteen years, and six thousand dollars, annually, forever,) and by the tenth article§ of said treaty, of one hundred and fifty dollars, for Robert Cole, a Choctaw Chief, during life, twelve thousand one hundred and fifty dollars.

§Ante, p. 174.

Annuity to the
Chickasaws
under the se-
veral treaties
with them,
due for the
year 1821.

For the payment of the annuity due to the Chickasaw nation, for the year eighteen hundred and twenty-one, under the several treaties with them, which has remained unpaid in consequence of the delinquency of the late agent, Robert C. Nicholas, and against whom suit has been instituted for the recovery of the amount, thirty-five thousand one hundred dollars.

Osage and
Kanzas trea-
ties. Ante,
pp. 253 & 290.

To carry into effect the treaties with the Osages, of the second, and with the Kanzas, of the third June, eighteen hundred and twenty-five, namely:—

Surveying
land reserved
by said treaties

For surveying the lands reserved to said Indians by said treaties, ten thousand dollars.

Annuities to
Osages and
Kanzas.
¶Ante, pages
254 & 291.

For the payment of the annuities to the Osage and Kanzas Indians, as provided for by the third article¶ of said treaties, of seven hundred dollars in lieu of all former annuities, to the former, and three thousand five hundred dollars to the latter, annually, for twenty years, ten thousand five hundred dollars.

Cattle, hogs,
&c. for said
Indians.
**Ante, page
254. & 291.

For the purchase of cattle, hogs, and other domestic animals, and articles, as stipulated for by the fourth articles** of said treaties, including the expense of transportation and delivery of the same, fourteen thousand seven hundred and fifty dollars.

Houses for
chiefs.
††Ante, page
254.

For the expense of building four houses for Osage chiefs, as stipulated for by the said fourth article†† of the treaty with them, and one for the principal Kanzas chief, (as estimated for by General Clark,) ten thousand dollars.

For carrying into effect the provisions of the aforesaid trea-

ties, relative to agents, blacksmiths, agriculturists, and other persons to be employed for the benefit of said Indians, including the expense of erecting the necessary buildings for the accommodation of such persons, for tools, and all other expenses connected with said provisions, fourteen thousand one hundred and fifty dollars.

Blacksmiths and other persons, to be employed for the Osages and Kansas, under said treaties.

For payment of the debts due by the Kansas Indians to Francis G. Chouteau, and by the Osages to Augustus P. Chouteau, Paul Baillio, and William S. Williams, as provided for by the eighth and thirteenth articles* of said treaties, two thousand dollars.

Debts due by said Indians.

*Ante, pages 237 & 292.

For payment of claims of citizens for depredations committed by the Kansas and Osage Indians, as provided for by the seventh and ninth articles† of the aforesaid treaties, eight thousand dollars.

Claims of citizens against Indians.

†Ante, pages 256 & 292.

For expense incurred under the ninth article‡ of the treaty with the Kansas, and eighth and twelfth articles§ of the treaty with the Osages, and all other expenses attending the negotiation of said treaties, eighteen thousand three hundred and six dollars and seventy cents.

Expense of treaties with said Indians.

‡Ante, pages 256, 257, 292.

To carry into effect the treaty with the Shawnees, of seventh November, eighteen hundred and twenty-five, namely :

Shawnee treaty. Ante, ch. 40, p. 360.

For surveying the lands granted to the Shawnees, by the second article§ of said treaty, one thousand two hundred and fifty dollars.

Surveying lands granted to Shawnees. §Ante, p. 361.

For the payment of the sum stipulated for, and, by same article of said treaty, for the improvements abandoned by the Indians, on the lands ceded by them, and the inconveniences of removal, fourteen thousand dollars.

Improvements left by Shawnees, and inconveniences of removal.

For payment of the claims of the Shawnees against citizens of the United States, as provided for in the fourth article¶ of said treaty, eleven thousand dollars.

Claims of Shawnees against citizens. ¶Ante, p. 362.

For carrying into effect the provision of the said fourth article,** relative to a blacksmith, including the expense of tools, iron, and the erection of the necessary buildings for the blacksmith's quarters and shop, two thousand five hundred and fifty dollars.

Blacksmith, iron, tools, &c. **Ante, page 362.

For expenses incurred in the negotiation of said treaty, one thousand six hundred dollars.

Expense of negotiating with Shawnees.

To carry into effect a stipulation contained in the treaty concluded at Prairie du Chien, nineteenth August last, with certain tribes of Indians, for holding two general councils with the Indians, on Lake Superior and Green Bay, (as per accompanying copy of a detailed estimate for these, and the other objects which follow, furnished by Governor Cass,) twenty-seven thousand dollars.

Stipulation of treaty of Prairie du Chien, (Ante, chap. 41, page 363,) for holding general councils with Indians.

For carrying into effect the stipulation of the fifth article†† of the treaty with the Miamies, of sixth October, eighteen hun-

††Ante, p. 365

Gun-smith for Miamies. dred and eighteen, providing for a gun-smith, the annual sum of six hundred dollars.

Salt for Miamies.

To carry into effect the provision of the same article of said treaty, for the delivery of one hundred and sixty bushels of salt, annually, to the Miamies, the annual sum of three hundred and twenty dollars.

*Ante, p. 58.

To carry into effect the provisions of the third article* of the treaty with the Delawares, Shawanees, Pottawatimies, Miamies, Kickapoos, Eel Rivers, Weas, Piankeshaws, and Kaskaskias, of seventh June, eighteen hundred and three, for the delivery of one hundred and fifty bushels of salt, annually, to said Indians, the annual sum of three hundred dollars.

Salt for Delawares, Shawanees, &c.

Arrearages of salt due said Indians.

For arrearages of salt due to the Indians, under the provisions of the treaty aforesaid, six hundred and forty dollars.

Annuity to christian Indians.

For the payment of the annuity secured to the christian Indians, so called, in consideration of the relinquishment of their title to three sections of land, in Tuscarawas county, Ohio, by the agreements entered into with Governor Cass, for that purpose, filed in the General Land Office, and by the act of congress of twenty-sixth of May, eighteen hundred and twenty-four,† (seventh section,) the annual sum of four hundred dollars.

†Ante, pages 405 & 408.

Approved, May 20, 1826.

JOHN Q. ADAMS.

CHAPTER LXX.

An act to aid certain Indians of the Creek nation, in their removal to the west of the Mississippi.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the United States will give to each warrior of the nation of Creek Indians, who shall, at any time within two years, remove to the west of the Mississippi, according to article six, in the treaty made and concluded at Washington City, on the 24th day of January, one thousand eight hundred and twenty-six, between the United States and the Creek Indians, one rifle gun and ammunition, a butcher knife, one blanket, one brass kettle, and one beaver trap; and shall further aid them with provisions on the way, and with transportation across the Mississippi river, and other streams; and furnish them with provisions for their support for one year after their arrival in the country which may be set apart for them, to the westward of the territory of Arkansas or state of Missouri; and the United States will pay to all such emigrants, the actual value of all the improvements left by them, and which are

Warriors of the Creek nation who shall remove west Mississippi, under 6th art. treaty of 24th Jan. 1826, (See art. referred to, ante, page 572,) to be provided with sundry articles, and with provisions for one year.

Value of improvements left by emi-

of a nature to add to the real value of the land, which is to be ascertained by a commissioner appointed by the president of the United States for that purpose, and paid for as soon as practicable after the passage of this act, not exceeding twenty thousand dollars.

SEC. 2. *And be it further enacted*, That the agent to be appointed to accompany and reside with the aforesaid emigrating Creeks, according to article eight of the treaty last above-mentioned, shall receive an annual salary of fifteen hundred dollars.

SEC. 3. *And be it further enacted*, That there shall be delivered to the said agent, in each and every year, a fair and full proportion of all the annuities heretofore stipulated to be paid to the Creek Indians, according to the number of emigrants who may remove; and to enable the government to divide the annuities fairly, the agents shall make annual returns of the whole number of such emigrants; and the amount to be paid, under the ninth article* of the treaty aforesaid, may be extended to any number of emigrants over and above three thousand persons.

SEC. 4. *And be it further enacted*, That, for the purpose of making known the beneficial objects of the government, and for carrying into effect the objects of this act, the agent to be appointed to reside with the emigrating Creeks, shall have full liberty, for the space of two years, to go among the Indians of the Creek nation, and explain to them the policy of the government, and to give to such individuals, families, and parties, as may determine, from time to time, all the aids which are contemplated by this act; and shall designate a proper place at which the emigrants may cross the Mississippi river; and shall establish *depots* of provisions at one or more places, under the care of suitable persons, to support them on their march.

SEC. 5. *And be it further enacted*, That the sum of sixty thousand dollars, to be paid out of any money in the treasury not otherwise appropriated, shall be, and the same is hereby appropriated, to defray the expense of carrying this act into effect.

Approved, May 20, 1826.

JOHN Q. ADAMS.

CHAPTER LXXI.

An act making appropriations to carry into effect the treaty concluded between the United States and the Creek nation, ratified the twenty-second of April, eighteen hundred and twenty-six.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assem-

grants to be ascertained by a commissioner, and paid for by U. S.

Agent to be appointed under 8th art. of the treaty (see the art. ante, page 373.)

Annuities to be divided in fair proportion.

*See 9th art page 273.

Agent for the emigrating Creeks, to go into the Creek nation for two years, to make explanations.

Places for crossing the Mississippi to be designated, and depots of provisions to be established.

\$50,000 appropriated for the objects of this act.

Treaty of 21st Jan. 1826. Ante, chap. 42, page 371.

\$170,000 of former appropriation to be applied to this object, and the additional sum of \$17,600 appropriated.

\$20,000 for annuity.

\$100,000 to the friends &c. of Gen. McIntosh.

\$30,000 to the Creek nation.

\$120,000 for the faithful execution of all other provisions.

bled, That the following sums be, and the same are hereby, appropriated, out of any money not otherwise appropriated, to carry into effect the treaty concluded between the United States and the Creek nation, on the twenty-fourth of January, eighteen hundred and twenty-six, and ratified on the twenty-second of April, eighteen hundred and twenty-six, that is to say: For the payment of the sum to the chiefs and warriors of the Creek nation, stipulated in the third article of the said treaty, in addition to an unexpended balance of one hundred and seventy thousand dollars, appropriated by the act of the third of March, eighteen hundred and twenty-five, and which is hereby directed to be used for the purpose of this act, forty-seven thousand six hundred dollars, both of which sums shall be paid to the chiefs of the Creek nation, to be divided among the chiefs and warriors of said nation, and that the same be done under the direction of the secretary of war, in a full council of the nation convened upon notice for that purpose.

For the payment of the permanent annuity to the Creek nation, provided for by the fourth article of the said treaty, the sum of twenty thousand dollars.

For the payment of the sum to the friends and followers of General McIntosh, stipulated for in the ninth article of the said treaty, one hundred thousand dollars.

For the payment of the sum to the Creek nation, stipulated for by the supplemental article to the said treaty, thirty thousand dollars.

For carrying into effect the stipulations of the sixth, seventh, eighth, tenth, eleventh, and sixteenth articles, and to defray all other expenses attending the faithful execution of the provisions of said treaty, one hundred and twenty thousand dollars.

Approved, May 22, 1826.

JOHN Q. ADAMS.

CHAPTER LXXII.

An act for the relief of the Florida Indians.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the sum of twenty thousand dollars be, and the same is hereby, appropriated, out of any money in the treasury, not otherwise appropriated, to be expended under the directions of the president, in affording sustenance to the suffering Florida Indians.

Approved, May 22, 1826.

JOHN Q. ADAMS.

\$20,000 appropriated for their relief.

[The two treaties with the Osage and Kansas Indians, which follow, were received and ratified after the printing of this work had progressed too far, to give them their proper places in the chapters to which they properly belong, or even immediately following the treaties.]

CHAPTER LXXIII.

SUPPLEMENTARY TO CHAPTER XII.*

Treaty with the Great and Little Osage nations of Indians.

No. 6. Whereas the congress of the United States of America, being anxious to promote a direct commercial and friendly intercourse between the citizens of the United States and those of the Mexican Republic, and, to afford protection to the same, did, at their last session, pass an act, which was approved the 3d of March, 1825, "to authorize the president of the United States to cause a road to be marked out from the western frontier of Missouri to the confines of New-Mexico," and which authorizes the president of the United States to appoint commissioners to carry said act of congress into effect, and enjoins on the commissioners, so to be appointed, that they first obtain the consent of the intervening tribes of Indians, by treaty, to the marking of said road, and to the unmolested use thereof to the citizens of the United States and of the Mexican Republic; and Benjamin H. Reeves, Geo. C. Sibley, and Thomas Mather, commissioners duly appointed as aforesaid, being duly and fully authorized, have this day met the chiefs and head men of the Great and Little Osage nations, who being all duly authorized to meet and negotiate with the said commissioners upon the premises, and being specially met for that purpose, by the invitation of said commissioners, at the place called the Council Grove, on the river Nee-o-zho, one hundred and sixty miles south-west from Fort Osage; have, after due deliberation and consultation, agreed to the following treaty; which is to be considered binding on the said Great and Little Osages, from and after this day:

Art. 1. The chiefs and head men of the Great and Little Osages, for themselves and their nations, respectively, do consent and agree that the commissioners of the United States shall, and may survey and mark out a road, in such manner as they may think proper, through any of the country owned or claimed by the said Great and Little Osage nations.

Treaty with the Osages.

Osages agree to a road thro' their country.

Art. 2. The chiefs and head men, as aforesaid, do further agree that the road authorized in article 1, shall, when marked, be forever free for the use of the citizens of the United States and of the Mexican Republic, who shall at all times pass and repass thereon, without any hindrance or molestation on the part of the said Great and Little Osages.

The road to be free.

Art. 3. The chiefs and head men aforesaid, in consideration of the friendly relations existing between them and the United States, do agree to give friendly aid to citizens.

Friendly aid to citizens.

* Making No. 6 of this chapter, which see, ante, page 243.

ed States, do further promise, for themselves and their people, that they will, on all fit occasions, render such friendly aid and assistance as may be in their power, to any of the citizens of the United States, or of the Mexican Republic, as they may at any time happen to meet or fall in with on the road aforesaid.

Subsistence,
and camping
places.

Art. 4. The chiefs and head men as aforesaid, do further consent and agree that the road aforesaid shall be considered as extending to a reasonable distance on either side, so that travellers thereon may, at any time, leave the marked track, for the purpose of finding subsistence and proper camping places.

Consideration.

Art. 5. In consideration of the privileges granted by the chiefs of the Great and Little Osages in the three preceding articles, the said commissioners on the part of the United States, have agreed to pay to them, the said chiefs, for themselves and their people, the sum of five hundred dollars; which sum is to be paid them, as soon as may be, in money or merchandise, at their option, at such place as they may desire.

Goods delivered at signing the treaty.

Art. 6. And the said chiefs and head men, as aforesaid, acknowledge to have received from the commissioners aforesaid, at and before the signing of this treaty, articles of merchandise to the value of three hundred dollars; which sum of three hundred dollars, and the payment stipulated to be made to the said Osages in article 5, shall be considered, and are so considered by said chiefs, as full and complete compensation for every privilege herein granted by said chiefs.

In testimony whereof, the said Benjamin H. Reeves, George C. Sibley, and Thomas Mather, commissioners as aforesaid, and the chiefs and head men of the Great and Little Osage tribes of Indians, have hereunto set their hands and seals, at Council Grove, this tenth day of August, in the year of our Lord one thousand eight hundred and twenty-five, in the presence of—

B. H. Reeves,
G. C. Sibley,
Thomas Mather,
Pa-lu-sha, (White-Hair,) head chief of the Great Osages, his x mark,
Ca-he-ga-wa-tonega, (Foolish Chief,) head chief of the Little Osages, his x mark,
Shin-ga-wassa, (Handsome Bird,) chief of the Great Osages, his x mark,
Ta-ha-mo-nee, (Swift Walker,) chief Little Osages, his x mark,
Ca-he-ga-wash-im-pee-she, (Bad Chief,) chief Great Osages, his x mark,
Wee-ho-je-ne-fare, (Without Ears,) chief Little Osages, his x mark,
Ca-he-ga-shinga, (Little Chief,) chief Great Osages, his x mark,
Waw-bur-cou, Warrior Little Osages, his x mark,
Maw-sho-hun-ga, Warrior Great Osages, his x mark.

Waw-lo-gah, (Owl,) Warrior Little Osages, his x mark,
 Maw-she-to-mo-nee, Warrior Great Osages, his x mark,
 Che-he-kaw, Warrior Little Osages, his x mark,
 Ne-ha-wa-she-tun-ga, Warrior Great Osages, his x mark,
 Ho no-possee, Warrior Little Osages, his x mark,
 Waw-kun-chee, Warrior Little Osages, his x mark,
 Paw-ne-no-pushre, Warrior Little Osages, his x mark.

Archibald Gamble, *secretary*,
 Jos. C. Brown, *surveyor*,
 W. S. Williams, *interpreter*,
 Stephen Cooper,
 Samuel Givens,
 Richard Brannin,
 Garrison Patrick,
 Daniel J. Bahan,
 I. R. Walker,
 Singleton Vaughn,
 Benjamin Jones,
 Bradford Barbie,
 Hendley Cooper,
 John M. Walker,
 Joseph Davis,
 George West,
 Thomas Adams,
 James Brotherton.

CHAPTER LXXIV.

SUPPLEMENTARY TO CHAPTER XXI.*

Treaty with the Kansas.

No. 3. Whereas the congress of the United States of America being anxious to promote a direct commercial and friendly intercourse between the citizens of the United States and those of the Mexican Republic, and, to afford protection to the same, did, at their last session, pass an act, which was approved the third of March, 1825, "to authorize the president of the United States to cause a road to be marked out from the western frontier of Missouri to the confines of New Mexico," and which authorizes the president of the United States to appoint commissioners to carry said act of congress into effect, and enjoins on the commissioners, so to be appointed, that they first obtain the consent of the intervening tribes of Indians, by treaty, to the marking of said road, and to the unmolested use thereof to the citizens of the United States and of the Mexican Republic, and Benjamin H. Reeves, Geo. C. Sibley, and Thomas Mather, being duly appointed commissioners as aforesaid, and being duly and fully authorized, have this day met the chiefs and head men of the Kansas tribe of Indians, who being all duly authorized to meet and negotiate with the said commissioners upon the premises, and being specially met for that purpose, by the invitation of said commissioners, on the Sora Kansas creek, two hundred and thirty miles southwestwardly from Fort Osage; have, after due deliberation and consultation, agreed to the following treaty, which is to be considered binding on the said Kansas Indians, from and after this day:

Art. 1. The chiefs and head men of the Kansas nation or tribe of Indians, for themselves and their nation, do consent to a road

Treaty with
the Kansas.

KANSAS assent.

* Making No. 3 of this chapter, which see, ante, page 289.

through their lands. and agree that the commissioners of the United States shall, and may survey and mark out a road, in such manner as they may think proper, through any of the territory owned or claimed by the said Kansas tribe or nation of Indians.

The road to be free. *Art. 2.* The chiefs and head men, as aforesaid, do further agree that the road authorized in article 1, shall, when marked, be forever free for the use of the citizens of the United States and of the Mexican Republic, who shall at all times pass and repass thereon, without any hindrance or molestation on the part of the said Kansas Indians.

Friendly aid to be rendered to citizens. *Art. 3.* The chiefs and head men as aforesaid, in consideration of the friendly relations existing between them and the United States, do further promise, for themselves and their people, that they will, on all fit occasions, render such friendly aid and assistance as may be in their power, to any of the citizens of the United States, or of the Mexican Republic, as they may at any time happen to meet or fall in with on the road aforesaid.

Subsistence, and camping places. *Art. 4.* The chiefs and head men, as aforesaid, do further consent and agree that the road aforesaid shall be considered as extending to a reasonable distance on either side, so that travelers thereon may, at any time, leave the marked track, for the purpose of finding subsistence and proper camping places.

Consideration. *Art. 5.* In consideration of the privileges granted by the chiefs of the Kansas tribe in the three preceding articles, the said commissioners on the part of the United States, have agreed to pay to them, the said chiefs, for themselves and their people, the sum of five hundred dollars; which sum is to be paid them as soon as may be, in money or merchandise, at their option, at such place as they may desire.

Goods distributed at signing the treaty. *Art. 6.* And the said chiefs and head men, as aforesaid, acknowledge to have received from the commissioners aforesaid, at and before the signing of this treaty, articles of merchandise to the value of three hundred dollars; which sum of three hundred dollars, and the payment stipulated to be made to the said Kansas in article 5, shall be considered, and are so considered by said chiefs, as full and complete compensation for every privilege herein granted by said chiefs.

In testimony whereof, the said Benjamin H. Reeves, George C. Sibley, and Thomas Mather, commissioners as aforesaid, and the chiefs and head men of the Kansas tribe or nation of Indians, have hereunto set their hands and seals, on the Sora Kansas creek aforesaid, this sixteenth day of August, in the year of our Lord one thousand eight hundred and twenty-five.

B. H. Reeves,
G. C. Sibley,
Thomas Mather,

Shone-gee-ne-gare, the great chief of the Kansas nation, his x mark,
 Ke-hea-bash-ee, eldest son of the great chief, a warrior and leader, his x mark,
 Hu-ra-soo-gee, the Red Eagle, a chief and warrior, his x mark,
 Opa-she-ga, the Unready, a warrior, his x mark,
 Nun-gee-saggy, the Hard Heart, a warrior and counsellor, his x mark,
 Nee-a-ke-shall, a chief, brother of the great chief, his x mark,
 Ee-be-seen-gee, a warrior, his x mark,
 Wa-rig-ni-ne-gare, a warrior, his x mark,
 Hah-ee-see-she, White Plume's deputy, warrior, his x mark,
 Nee-ha-wash-in-tun-ga, the Passionate, warrior, his x mark,
 Hlas-ska-mo-nee, White Horns that Walk, warrior, his x mark,
 To-ka-mee-ra, the Scalper, warrior, his x mark,
 Mee-ra-ta-mo-nee, the Midway Walker, warrior, his x mark,
 Mo-nee-ra-ta, He who walks off, chief, his x mark,
 Mo-she-ha-mo-nee, the Ridge Walker, warrior, his x mark,
 Saw-nee-wah-rec, the Striker of Three, warrior, his x mark.

In presence of

Archibald Gamble, *secretary*,
 Jos. G. Brown, *surveyor*,
 W. S. Williams, *interpreter*,
 Stephen Cooper,
 Daniel T. Bahan,
 Benjamin Robertson,
 David Murphy,
 Singleton Vaughn,
 John M. Walker,
 Andrew Broadbodies,
 Benjamin Jones,
 Hendley Cooper,
 James Wells,
 Joseph R. Walker,
 Samuel Givens,
 James Brotherton,
 Harry Clark.



APPENDIX.

DOCUMENTS RELATING TO INDIAN AFFAIRS.

No. 1. Commencement and progress of Indian affairs.

A petition from the committee representing the people in that part of Augusta county, in the colony of Virginia, on the west side of the Allegany mountain, was laid before the congress and read, intimating "fears of a rupture with the Indians on account of lord Dunmore's conduct," and desiring "commissioners, from the colony of Virginia and province of Pennsylvania, to attend a meeting of the Indians at Pittsburg, on behalf of these colonies." In congress,
June 1, 1775.

Ordered, That the above be referred to the delegates of the colonies of Virginia and Pennsylvania.

A number of letters and speeches, from the Stockbridge Indians, were laid before the congress and read. In congress,
June 30, 1775.

Resolved, That the committee for Indian affairs do prepare proper talks to the several tribes of Indians, for engaging the continuance of their friendship to us, and neutrality in our present unhappy dispute with Great-Britain.

The congress resumed the consideration of the report of the committee on Indian affairs, and the same being gone through, In congress,
July 12, 1775 was agreed to, as follows:

That the securing and preserving the friendship of the Indian nations appears to be a subject of the utmost moment to these colonies.

That there is too much reason to apprehend that administration will spare no pains to excite the several nations of Indians to take up arms against these colonies; and that it becomes us to be very active and vigilant in exerting every prudent means to strengthen and confirm the friendly disposition, towards these colonies, which has long prevailed among the northern tribes, and which has been lately manifested by some of those to the southward.

As the Indians depend on the colonists for arms, ammunition, and clothing, which are become necessary to their subsistence, that commissioners be appointed by this congress to superintend Indian affairs in behalf of those colonies.

That there be three departments of Indians, the northern, middle, and southern. The northern to extend so far south as to include the whole of the Indians known by the name of the

Indian affairs. Six Nations, and all the Indians northward of those nations. The southern department, to extend so far north as to include the Cherokees, and all the Indians that may be to the southward of them. The middle, to contain the Indian nations that lie between the other two departments.

That five commissioners be appointed for the southern department.

That for each of the other two departments, there be appointed three commissioners.

That the commissioners have power to treat with the Indians, in their respective departments, in the name and on behalf of the united colonies, in order to preserve peace and friendship with the said Indians, and to prevent their taking any part in the present commotions.

That the commissioners for the southern department receive, from the continental treasury, the sum of ten thousand dollars; the commissioners for the middle and northern department, the sum of six thousand six hundred and sixty-six and two-thirds, for each of their respective departments, for defraying the expense of treaties and presents to the Indians.

That the commissioners, respectively, have power to take to their assistance gentlemen of influence among the Indians in whom they can confide, and to appoint agents, residing near or among the Indians, to watch the conduct of the superintendents, and their emissaries.

That in case the commissioners for the respective districts, or any one of them in either district, shall have satisfactory proof, that the king's superintendents, their deputies or agents, or any other person whatsoever, are active in stirring up or inciting the Indians, or any of them, to become inimical to the American colonies, such commissioner or commissioners ought to cause such superintendents, or other offender, to be seized and kept in safe custody, until order shall be taken therein by a majority of the commissioners of the districts where such seizure is made, or by the continental congress, or a committee of said congress, to whom such seizure, with the causes of it, shall, as soon as possible after, be made known.

That the commissioners shall exhibit fair accounts, of the expenditure of all moneys by them respectively to be received for the purposes aforesaid, to every succeeding continental congress, or committee of congress, together with a general state of Indian affairs in their several departments; in order that the colonies may be informed, from time to time, of every such matter as may concern them to know and avail themselves of, for the benefit of the common cause.

That as there is a seminary for the instruction of Indian youth, which has been established under the care of doctor Wheelock, on Connecticut river; and as there are nine or ten

Indian youths at that school, chiefly from the tribes residing in Indian affairs. Quebec ; and as, for want of a proper fund, there is danger that these youths may be sent back to their friends, which will probably excite jealousy and distrust, and be attended with bad consequences, the commissioners for Indian affairs in the northern department be authorized to receive, out of the continental treasury, a sum not exceeding five hundred dollars, to be applied by them for the support of said Indian youths.

Ordered, That a talk be prepared for the Indian nations, so In congress, July 13, 1775. as to suit the Indians in the several departments.

The commissioners for Indian affairs, in the northern department, transmitted to the congress the minutes of a treaty, held In congress, Sept. 14, 1775. with the Six Nations, at Albany, in August; and the same were read.

The congress resumed the consideration of the report of the committee, on Mr. Douw's letter, and the Albany treaty ; and after debate, the first paragraph was postponed, and the remainder agreed to, as follows: In congress, Nov. 23, 1775.

The committee to whom it was referred to take into consideration the letter from Volckert P. Douw, esq. and the minutes of the treaty held with the Indians at Albany, by the commissioners for Indian affairs, in the northern department, have examined the same, and come to the following resolutions thereupon :

That it is the opinion of this committee, that the Indians be assured that this congress are pleased with their desire that the trade should be opened, as formerly, at Albany and Schenectady ; that the congress will exert their strenuous endeavors to procure the goods the Indians may want, and put the trade under such wise regulations, as that mutual justice may be effected, and that they hope those endeavors will be successful.

That general Schuyler be desired to furnish the commissioners at Albany with some powder, if he can spare it, to be distributed among the Indians, who, in the present circumstances, are much distressed by the want of that article.

That the commissioners for transacting Indian affairs in the northern department, be desired to obtain from the Mohawk Indians, and the corporation of Albany, a state of the controversy between them, concerning the land desired by the former, in the late treaty at Albany, to be restored to them, and report the matter, as it shall appear to them, to the congress.

That the said commissioners be desired, at the expense of the united colonies, to provide for and entertain the sachems and warriors of the Six Nations, and other Indians friendly to these colonies, their attendants and messengers, with the accustomed hospitality, when they come to Albany or Schenectady, to treat, or give intelligence of public affairs, or upon a visit, and for this purpose, that seven hundred and fifty dollars

Indian affairs. be lodged in the hands of the said commissioners, subject to account.

That the said commissioners be directed to employ two blacksmiths, for reasonable salaries, to reside among and work for the Indians of the Six Nations.

That the said commissioners be empowered to employ an interpreter, with a salary of two hundred and twenty-two and one-fifth dollars by the year, commencing the twelfth day of this month, who shall also be allowed his travelling expenses, to be settled by the commissioners; and James Deane, if they judge him well qualified, is recommended to execute this office.

That twenty-three dollars be paid to James Deane, over and above the seventy-five dollars advanced him by the commissioners, for his past services.

Resolved, That three members be added to the committee on the Albany treaty, and that they be directed to consider of a plan for carrying on a trade with the Indians, and to devise ways and means for procuring goods proper for that trade.

In congress,
Jan. 27, 1776. The committee to whom the treaty held with the Indians at Albany, and the letter from V. P. Douw, esquire, were referred, brought in their report: whereupon,

Resolved, That in order to preserve the confidence and friendship of the Indians, and to prevent their suffering for want of the necessaries of life, a suitable assortment of Indian goods, to the amount of forty thousand pounds sterling, be imported on account and risk of the united colonies:

That the said goods, when imported, be divided among the different departments, in the following proportions, viz: for the northern department, comprehending Canada, thirteen thousand three hundred and thirty-three pounds six shillings and eight pence sterling; for the middle department, the like value: and the residue for the southern department:

That in order to pay for the said goods, a quantity of produce of these colonies be exported to some foreign European market, where it will sell to the best advantage:

That the secret committee be empowered to contract with proper persons for importing said goods, and for exporting produce to pay for the same:

That the said goods, when imported, be delivered to the commissioners of Indian affairs, for the respective departments, or their order, in the proportions beforementioned:

That the respective commissioners, or such of them as can conveniently assemble for that purpose, shall, as the goods arrive, fix a price, adding to the first cost interest, the charge of insurance, and all other charges, and also a commission not exceeding two and a half per cent. on the first cost, for their own care and trouble in receiving, storing, and selling them to the Indian traders; but such commissioners as are at the same

time members of congress, shall not be burdened with this part ^{Indian affairs:} of the business, nor receive any part of the aforesaid commission :

That no person shall be permitted to trade with the Indians without license from one or more of the commissioners of each respective department :

That all traders shall dispose of their goods at such stated reasonable prices as shall be fixed and ascertained by the commissioners, or a majority of such as can conveniently assemble for that purpose, in each respective department, and shall allow the Indians a reasonable price for their skins and furs, and take no unjust advantage of their distress and intemperance ; and to this end they shall, respectively, upon receiving their licenses, enter into bond to the commissioners, for the use of the united colonies, in such penalty as the acting commissioners or commissioner shall think proper, conditioned for the performance of the terms and regulations above prescribed :

That to such licensed traders only, the respective commissioners shall deliver the goods, so to be imported, in such proportions as they shall judge will best promote a fair trade, and relieve the necessities of the Indians :

That every trader on receiving the goods, shall pay to the commissioners, in hand, the price at which they shall be estimated ; and the commissioners shall, from time to time, as the money shall come to their hands, transmit the same to the continental treasurers, deducting only the allowance for their trouble as aforesaid :

That the trade with the Indian nations shall be carried on at such posts and places only, as the commissioners for each department shall respectively appoint :

That these resolutions shall not be construed to prevent or debar any private person from importing goods for the Indian trade, under the restrictions expressed in the association.

The committee to whom the memorial of Samson Occum, one ^{In congress, Feb. 5, 1776.} of the Mohegan Indians, in Connecticut, was referred, brought in their report : whereupon,

Resolved, That a friendly commerce between the people of the united colonies and the Indians, and the propagation of the gospel, and the cultivation of the civil arts among the latter, may produce many and inestimable advantages to both ; and that the commissioners for Indian affairs be desired to consider of proper places, in their respective departments, for the residence of ministers and schoolmasters, and report the same to Congress :

That the commissioners for Indian affairs in the northern department, be desired to inquire of Mr. Jacob Fowler, of the Montauk tribe of Indians, on Long Island, and Mr. Joseph Johnson, of the Mohegan, upon what terms they will reside

Indian affairs. among the Six Nations of Indians, and instruct them in the christian religion.

In congress,
March 8,
1776. *Resolved*, That Indians be not employed as soldiers in the armies of the united colonies, before the tribes to which they belong shall, in a national council, held in the customary manner, have consented thereunto, nor then, without express approbation of Congress.

In congress,
April 10,
1776. The committee to whom the report on Indian affairs in the middle department and the petition of captain White Eyes, were referred, brought in their report, which was taken into consideration: whereupon,

Resolved, That the commissioners for Indian affairs in the middle department, or any one of them, be desired to employ, for reasonable salaries, a minister of the gospel, to reside among the Delaware Indians, and instruct them in the christian religion; a schoolmaster to teach their youth reading, writing, and arithmetic; also a blacksmith to do the work of the Indians in the middle department.

Resolved, That the commissioners for Indian affairs in the middle department, be desired to provide, at the expense of the united colonies, for the entertainment of the sachems and warriors of the Indians, and their attendants and messengers, with the accustomed hospitality, when they come to Pittsburg to treat, or give intelligence of public affairs, or upon a visit.

Resolved, That the commissioners for Indian affairs be desired to acquaint the Indians, in their respective departments, that congress have formed a plan for importing goods to supply their necessities:

That the commissioners for Indian affairs be desired to inquire and report the cause of the discontent of the Indians in the middle department, what measures may be pursued to restore quiet and harmony, and to use their utmost endeavours, in the mean time, to prevent hostilities.

That disputes which shall arise between any of the white people and the Indians, in their dealings, (if the latter will consent,) be determined by arbitrators chosen, one by each of the parties, and another by the commissioners for Indian affairs, or when they are absent, by the agent in the department where the Indian party resides.

In congress,
April 29,
1776.

Resolved, That no traders ought to go into the Indian country without license from the agent in the department: and that care be taken by him to prevent exorbitant prices for goods being exacted from the Indians.

Resolved, That a ton of powder be sent to Mr. G. Morgan, to be distributed to such Indians as he shall be convinced are in our interest.

Resolved, That measures be immediately taken to procure goods, to supply the Indians at the treaties ordered to be held with them.

Resolved, That the Indian goods said to be at fort Pitt, be purchased for the use of the united colonies : In congress,
May 6, 1776.

That Indian goods, to the value of ten thousand dollars, be purchased at Montreal, for the use of the united colonies :

That treaties be held with the Indians in the different departments, as soon as practicable. and that the sum of ten thousand dollars be paid out of the treasury, to the commissioners of each respective department, for presents to the Indians, and the expenses of such treaties.

Resolved, That the standing committee for Indian affairs be directed to take measures for carrying into execution the resolution of the 6th, for holding a treaty with the Indians in the different departments, as soon as practicable. In congress,
May 11,
1776.

That the 20th of July be fixed on for holding a treaty at Pittsburg, with the Indians in the middle department; and that the standing committee be directed to inform the agent, and desire him to notify the Indians, and invite them to attend at the time and place mentioned; and also that the said committee inform the commissioners, and desire them to attend.

Agreeably to order, the Indians were admitted to an audience; after they withdrew, In congress,
May 27, 1776.

Resolved, That the standing committee for Indian affairs, be directed to prepare a speech to be delivered to the Indians, and to procure such articles as they judge proper for a present.

Resolved, That the sum of one hundred and fifty dollars be paid the Indian interpreter for his services, and to defray his expenses. In congress,
June 11, 1776.

The presents for the Indians being provided, they were called in, and the speech agreed to was delivered.

The presents being delivered, the Indian chief begged leave to give a name to the President; the same being granted, an Onondago chief arose, and saluted the President by the name of *Karanduaán*, or the Great Tree, by which name, he informed him, the President will be known among the Six Nations. After which the Indians took their leave and withdrew.

Resolved, That it be left to the discretion of the commissioners in the middle department, to postpone the holding the treaty with the Indians in their department, to such time as they think best; and that, if by continuing at Pittsburg, in the meanwhile, they are of opinion they shall be able to bring the Indians into a friendly disposition, and to render the treaty more general, they be desired to continue there : In congress,
Aug. 19, 1776.

That the invitation given by the said commissioners, to such of the Six Nations of Indians as live on the waters of the Ohio, to attend the said treaty, be approved :

That the said commissioners be instructed to make diligent inquiry into the murder lately committed by Indians in the

Indian affairs. neighborhood of Pittsburg, on one Crawford, and that as soon as they discover by whom the same was committed, they demand due punishment on the offender or offenders, which being granted, this Congress will not consider the same as a national act.

That the said commissioners invite such of the Indian chiefs and warriors of their department as they think best, to visit Congress at Philadelphia, after the conclusion of the treaty with them :

That the following extract from the speech of Logan, an Indian chief, be transmitted to the commissioners for the middle department, viz : " We still hear bad news. Conneodico, and some of us, are constantly threatened : and the Bearskin, a trader from Pennsylvania, amongst others, says, a great reward is offered to any person who will take or entice either of us to Pittsburg, where we are to be hanged up like dogs, by the Big Knife. This being true, how can we think of what is good? That it is true we have no doubt, and you may depend on it that the Bearskin told Metopsica every word of what I have mentioned." And that they be directed to do all in their power to remove every jealousy of the United States, or either of them, from the minds of the Indians. And as it may possibly happen, that the persons concerned in the Indian trade, in order to engross to themselves, or to the traders of their own state, the whole of the said Indian trade, may, by false suggestions, endeavor to poison the minds of the said Indians, and render them inimical to any other state, and to involve such state in an Indian war, that it be therefore recommended to the assemblies and conventions of the several states, from which trade is carried on with the Indians, that they take the most effectual measures to prevent the traders of their respective states from pursuing a practice so dangerous to the peace of the United States.

In congress,
Sept. 19,
1776.

Resolved, That it be recommended to the inhabitants of the frontiers, and to the officers at all the posts there, to treat the Indians who behave peaceably and inoffensively, with kindness and civility, and not to suffer them to be ill used or insulted.

As it may be a means of conciliating the friendship of the Canadian Indians, or at least of preventing hostilities from them, in some measure to assist the President of Dartmouth college, in New-Hampshire, in maintaining their youth, who are now there under his tuition, and whom the revenues of the college are not, at this time, sufficient to support ; that for this purpose, five hundred dollars be paid to the reverend doctor Eleazer Wheelock, President of the said college.

In congress,
Oct. 29, 1777.

Congress taking into consideration General R. Howe's letter of the 4th of September, 1777, to the speaker and assembly of the state of Georgia, and another of the 28th of August, to

the president of Congress, in which he represents the danger of an Indian war being provoked, by the wantonness and indiscretion of several persons in that state, Indian affairs.

Resolved, That it be earnestly recommended to the president and assembly of the state of Georgia, to use their utmost exertions to cultivate peace and harmony with the Indian nations: and to enable them to effect this salutary purpose, that they forthwith enact laws, inflicting severe penalties on such of their inhabitants as may endeavor to provoke a war, which may endanger the state of Georgia, and entail great injury and expense on the United States.

The committee to whom was referred the letter from the commissioners for Indian affairs in the northern department, together with the papers enclosed, and the opinion of the board of war thereon, brought in a report; whereupon, In congress,
Feb. 2, 1778.

Resolved, That the commissioners be instructed to speak to the Indians, at the intended treaty at Johnston, in language becoming the representatives of free, sovereign, and independent states, and in such a tone as will convince them that we feel ourselves to be so; but whether it will be prudent to insist upon the Indians taking an active part in behalf of these states, must depend upon the temper they shall appear to be in; that this particular, therefore, be submitted to the discretion of the commissioners.

Resolved, That the commissioners speak and act in such manner as they shall think most likely to obtain the friendship, or, at least, the neutrality of the Indians, and that congress will support the commissioners in any measures they shall conceive best calculated to answer these ends:

That the commissioners be authorized to purchase five or six hundred blankets, or to order that number to be sent to Johnston, from any of the public stores to the eastward, if to be had there, to be given as presents to the Indians.

The board of war, to whom was referred the letter of the 20th of February, from the committee at camp, having made report, the same was taken into consideration: whereupon, In congress,
March 1,
1778.

Resolved, That General Washington be empowered, if he think it prudent and proper, to employ in the service of the United States a body of Indians, not exceeding four hundred; and that it be left to him to pursue such measures as he judges best for procuring them, and to employ them, when procured, in such way as will annoy the enemy, without suffering them to injure those who are friends to the cause of America.

Resolved, That brigadier McIntosh be directed to assemble, at fort Pitt, as many continental troops and militia as will amount to fifteen hundred, and proceed without delay to destroy such towns of the hostile tribes of Indians as he, in his discretion, shall think will most effectually tend to chastise and In congress,
July 27, 1778.

Indian affairs. terrify the savages, and to check their ravages on the frontiers of these states :

That it appearing most evidently that the late incursion at Wyoming and the adjacent parts, has been made by the Senecas and some other tribes of the Six Nations, aided by Tories and other banditti, from the frontiers of New York, New Jersey, and Pennsylvania, the expedition meditated against them from the northward be forwarded with all possible despatch, and that the board of war take the necessary steps for that purpose.

In congress,
Oct. 6, 1778.

A letter of September 24th, from Andrew Lewis and Thomas Lewis, esquires, commissioners at fort Pitt, was read, together with their proceedings at the treaty with the chiefs of the Delaware nation, and an agreement or confederation entered into between them and the said chiefs, and other papers enclosed :

Ordered, That the same be referred to a committee of three.

In congress,
April 3, 1779.

Resolved, That twelve blank commissions be transmitted to the commissioners of Indian affairs for the northern department ; and that they, or any two of them, be empowered to fill them up with the names of faithful chiefs of the Oneidas and Tuscaroras, giving them such ranks as the said commissioners shall judge they merit ; the names and ranks to be by the commissioners reported to the board of war.

In congress,
May 17, 1779.

Resolved, That the commissioners for Indian affairs in the northern department, be directed to consult general Washington upon all treaties with the Indians, and to govern themselves by such instructions as he shall give them, relative to any partial or general treaty of peace to be concluded with them.

In congress,
Nov. 8, 1779.

A letter of the 26th, from colonel Broadhead, at Pittsburg, was read, informing that some of the inhabitants from Yoghigany and Ohio counties, had crossed the Ohio, and made small improvements on the Indians' land, from the river Muskingum to fort McIntosh, and thirty miles up the branches of the Ohio river ; and that he had ordered the trespassers to be apprehended, and the huts to be destroyed.

Ordered, That a letter be written to the governor of Virginia, enclosing a copy of colonel Broadhead's letter, and requesting his excellency to endeavor to prevent a repetition of the trespasses mentioned in it.

In congress,
Nov. 27,
1779.

Congress took into consideration the report of the committee, consisting of Mr. Forbes, Mr. Sharpe, Mr. Morris, on a letter of the 17th of October last, from major general Schuyler ; and thereupon agreed to the following answer to the said letter :

“SIR: Notwithstanding the many injuries committed by the savages, congress are disposed to peace: the conditions on which they insist, are,

First, that it shall be supplicated on the part of the enemy :

secondly, that they shall surrender all the Americans in their hands; thirdly, that they shall expel all British agents and emissaries; fourthly, that they shall covenant to deliver up such as shall hereafter go among them; fifthly, that they shall covenant not to take up the hatchet again, under penalty of being driven from their country; and sixthly, that they shall give hostages for their strict adherence to the promises to be by them made."

The board of war, to whom was referred general Schuyler's letter of the 5th, brought in a report, which was read: whereupon,

In congress,
Feb. 21, 1786.

Resolved, That the commissioners of Indian affairs in the northern department, be authorized and instructed to take such securities from the hostile tribes of Indians, to ensure the faithful performance of their engagements with the said commissioners, as seem most conducive to the end proposed, in lieu of hostages.

A report from the board of war was read, enclosing accounts against the United States for the support and tuition of three Indian boys at Princeton: whereupon,

In congress,
July 31, 1781.

Ordered, That the same be referred to the board of treasury; and that the board devise ways and means for furnishing colonel George Morgan with the sum of one hundred and thirty-seven pounds, currency of New-Jersey, in specie, to enable him to pay for the support and tuition of three Indian boys, of the Delaware nation, now at Princeton college; for which sum colonel George Morgan is to be accountable.

The reasons that induced your committee to recommend the acceptance of this cession,* are,

Report of a
committee of
congress, May
1, 1782.

1. It clearly appeared to your committee, that all the lands belonging to the Six Nations of Indians and their tributaries have been, in due form, put under the protection of the crown of England, by the said Six Nations, as appendant to the late government of New-York, so far as respects jurisdiction only.

*Meaning a
cession of land
from the state
of New-York.

2. That the citizens of the said colony of New York have borne the burden, both as to blood and treasure, of protecting and supporting the said Six Nations of Indians and their tributaries, for upwards of one hundred years last past, as the dependents and allies of the said government.

3. That the crown of England has always considered and treated the country of the said Six Nations, and their tributaries, inhabiting as far as the 45th degree of north latitude, as appendant to the government of New York.

4. That the neighboring colonies of Massachusetts, Connecticut, Pennsylvania, Maryland, and Virginia, have also, from time to time, by their public acts, recognized and admitted the said Six Nations and their tributaries to be appendant to the government of New York.

Indian affairs. 5. That by congress accepting this cession, the jurisdiction of the whole western territory, belonging to the Six Nations and their tributaries, will be vested in the United States, greatly to the advantage of the union.

In congress,
Oct. 11, 1782. On the report of a committee, consisting of Mr. Boudinot, Mr. Duane, and Mr. Williamson, to whom were referred the letter of the 26th of September from the commander in chief, and the letter of the 21st of September from general Schuyler:

Resolved, That the commissioners of Indian affairs for the northern department, be instructed to avail themselves of the change of temper, which is represented to prevail in the tribes of Indians under their superintendence, and to devise and report to congress the best means of securing the said tribes against the future intrigues of the enemy.

In congress,
Nov. 2, 1782. The committee, consisting of Mr. Duane, Mr. Ramsay, and Mr. Wharton, to whom was referred a letter of the 1st, from the secretary of war, report,

"That they have had a conference with the two deputies of the Catawba nation of Indians: that their mission respects certain tracts of lands reserved for their use, in the state of South Carolina, which they wish may be so secured to their tribe as not to be intruded into by force, nor alienated even with their own consent;" whereupon,

Resolved, That it be recommended to the legislature of the state of South Carolina, to take such measures for the satisfaction and security of the said tribe, as the said legislature shall, in their wisdom, think fit.

In congress,
May 1, 1783. *Resolved*, That the secretary of war take the most effectual measures to inform the several Indian nations, on the frontiers of the United States, that preliminary articles of peace have been agreed on, and hostilities have ceased with Great Britain, and to communicate to them that the forts within the United States, and in possession of the British troops, will speedily be evacuated: intimating also, that the United States are disposed to enter into friendly treaty with the different tribes; and to inform the hostile Indian nations, that unless they immediately cease all hostilities against the citizens of these states, and accept of these friendly proffers of peace, congress will take the most decided measures to compel them thereto.

By the United States in congress assembled, a proclamation.

In congress,
September
22, 1783. Whereas, by the ninth of the articles of confederation, it is, among other things, declared, that "the United States in congress assembled have the sole and exclusive right and power of regulating the trade, and managing all affairs with the Indians, not members of any of the states; provided that the legislative right of any state, within its own limits, be not infringed or violated:" and whereas it is essential to the wel-

fare of the United States, as well as necessary for the maintenance of harmony and friendship with the Indians, not members of any of the states, that all cause of quarrel or complaint between them and the United States, or any of them, should be removed and prevented; therefore the United States in congress assembled have thought proper to issue their proclamation, and they do hereby prohibit and forbid all persons from making settlements on lands inhabited or claimed by Indians, without the limits or jurisdiction of any particular state, and from purchasing or receiving any gift or cession of such lands or claims, without the express authority and directions of the United States in congress assembled.

And it is moreover declared, that every such purchase or settlement, gift, or cession, not having the authority aforesaid, is null and void, and that no right or title will accrue in consequence of any such purchase, gift, cession, or settlement.

Done in congress, at Princeton, this twenty second day of September, in the year of our Lord one thousand seven hundred and eighty-three, and of our sovereignty and independence the eighth.

Resolved, That a convention be held with the Indians residing in the northern and middle departments, who have taken up arms against the United States, for the purposes of receiving them into the favor and protection of the United States, and of establishing boundary lines of property, for separating and dividing the settlements of the citizens from the Indian villages and hunting grounds, and thereby extinguishing, as far as possible, all occasion for future animosities, disquiet, and contention.

In congress,
Oct. 15, 1783.

And whereas the trade with the Indians ought to be regulated, and security be given by the traders for the punctual observance of such regulations, so that violence, fraud, and injustice, towards the Indians, may be guarded against and prevented, and the honor of the federal government and the public tranquillity thereby promoted:

Resolved, That a committee be appointed, with instructions to prepare and report an ordinance for regulating the Indian trade, with a clause therein strictly prohibiting all civil and military officers, particularly all commissioners and agents for Indian affairs, from trading with the Indians, or purchasing, or being directly or indirectly concerned in purchasing lands from Indians, except only by the express license and authority of the United States in congress assembled.

Resolved, That the preceding measures of congress relative to Indian affairs, shall not be construed to affect the territorial

Indian affairs. claims of any of the states, or their legislative rights within their respective limits.

Resolved, That it will be wise and necessary, as soon as circumstances shall permit, to erect a district of the western territory into a distinct government, as well for doing justice to the army of the United States, who are entitled to lands as a bounty, or in reward of their services, as for the accommodation of such as may incline to become purchasers and inhabitants; and, in the interim, that a committee be appointed to report a plan, consistent with the principles of the confederation, for connecting with the union, by a temporary government, the purchasers and inhabitants of the said district, until their number and circumstances shall entitle them to form a permanent constitution for themselves, and, as citizens of a free, sovereign, and independent state, to be admitted to a representation in the union: provided always, that such constitution shall not be incompatible with the republican principles which are the basis of the constitutions of the respective states in the union.

In congress,
Feb. 10, 1784.

Resolved, That general Schuyler be, and he is hereby directed, to expedite the return of the deputation from the late hostile tribes of Indians, with information to their constituents, that due notice shall be given them of the time and place where congress will hold a meeting, for settling a general treaty with the Indian nations, which meeting they may rest satisfied will be held as soon as the season and other necessary circumstances will permit. In the mean time, the Indian tribes may be assured of the protection of the United States, so long as they continue in the peaceable disposition which they now manifest, and which is highly pleasing to congress.

In congress,
March 5,
1784.

Resolved, That the president immediately inform the gentlemen elected commissioners for holding a treaty with the Indians, of the said election, and that, as it is the wish of congress that the negotiations should commence as soon as possible, the commissioners are desired to meet at New York, on the tenth day of April next, to fix upon the times and places of holding the treaties with the different nations and tribes of Indians, and give them, respectively, the speediest information of the time and place determined on, inviting them to meet accordingly.

In congress,
March 19,
1784.

Resolved, That the commissioners appointed to negotiate with the Indians, shall each be allowed six and a half dollars per day, for the time they shall be employed in that business, in full for their services and expenses, exclusive of their expenses at the place or places where the treaties shall be held.

On the report of a committee, consisting of Mr. Jefferson, Mr. Howell, and Mr. Lee, to whom was referred an additional report on Indian affairs:

Resolved, That the superintendent of finance cause to be purchased a quantity of goods, to be applied in negotiating the treaty with the Indians, the amount not to exceed the sum of fifteen thousand dollars, including those on hand, according to an estimate, specifying kinds, quantities, and qualities, to be furnished by the commissioners for negotiating the treaty. Indian affairs.

Resolved, That the commissioners be, and they hereby are authorized and instructed to appoint one or more suitable person or persons, with such allowance as they may think reasonable, to receive the aforesaid goods, to take charge of their transportation, to such place or places as may be pointed out by the said commissioners, and to attend to the safe keeping and issuing, agreeably to such orders as he or they may receive from the said commissioners, all goods committed to his or their care, which orders are to be produced as vouchers on the settlement of the accounts. And that the superintendent of finance furnish to the order of the said commissioners the sums of money necessary for carrying this resolve into execution.

Resolved, That the said commissioners be, and they hereby are authorized and directed, to make and transmit to congress, from time to time, estimates of such additional quantities of goods, as may be found necessary in the course of their negotiations, in order that proper measures may be taken for procuring and forwarding the same.

Whereas it is necessary to expedite the holding treaties with the Indian nations, which it appears cannot be done but under the protection of an armed force ; therefore, In congress,
June 3, 1784.

Resolved, That the secretary in the war office be, and he is hereby, directed to order three hundred men, of the militia, directed to be raised by the act of this day, to be in readiness to march when and to what place or places the commissioners for negotiating with the Indians, or any two of them, shall direct : and that the commanding officer of the said troops give such protection to the commissioners as they, or any two of them, shall require ; and that the said secretary give order to the different keepers of the public stores, to furnish to the order of the commissioners, or any two of them, such tents, marquees, and other articles, as the said commissioners shall think proper.

Resolved, That the superintendent of finance take order for purchasing and transmitting the articles necessary for the Indian treaties, according to a list hereunto annexed, to such places as the commissioners appointed to negotiate with the Indians, or any two of them, shall direct. That he furnish such additional articles, not exceeding the sum of four thousand dollars, as the said commissioners shall order ; and that he contract with such persons as he may think proper, to furnish sixty thousand rations for the Indian treaties, at such places as

Indian affairs. the commissioners, or any two of them, shall direct, together with such things as shall be necessary for the expenses of the said commissioners during the negotiation.

Resolved, That the commissioners for negotiating with the Indians, or any two of them, being a majority of those present, be empowered to do the business of the commission, and to appoint a secretary, messengers, interpreters, storekeepers, and such artificers as they may find necessary, and to agree with them for their pay, for which they shall draw warrants on the treasury.

In congress,
March 15,
1785.

Resolved, That three commissioners, with the same pay as is allowed to the commissioners appointed for treating with the northern Indians, be appointed to treat with the Cherokees and all other Indians southward of them, within the limits of the United States, or who have been at war with them, for the purpose of making peace with them, receiving them into the favor and protection of the United States, and removing as far as may be, all causes of future contention or quarrels.

That the commissioners be instructed, as a preliminary, to require that all prisoners, of whatever age or sex, among the Indians, shall be delivered up, and they are further instructed to demand the negroes and other property, belonging to the citizens of the United States, which have been captured during the war.

That they be instructed to inform the Indians of the great occurrences of the last war, and of the extent of country relinquished by the late treaty of peace with Great Britain.

That the commissioners, previous to their holding any treaty, shall give due notice of the time and place where it is to be held, to the supreme executives of Virginia, North-Carolina, South-Carolina, and Georgia; in order that they may, each of them, appoint one or more persons to attend during the treaty, if they think proper.

That the commissioners be instructed to encourage the Indians to give notice to Congress, or some of their officers, of any designs that may be formed in any neighboring tribe, or by any person whatever, against the peace of the United States.

That the commissioners be authorized to apply to the supreme executive of Virginia, North Carolina, South Carolina, or Georgia, for one hundred and fifty men, or such part thereof as they may deem necessary, of their militia, for the purpose of protecting the commissioners whilst engaged in concluding the said treaties; and that they be authorized to draw on any of the said states for a sum not exceeding nine thousand dollars, to discharge the expense of holding the treaties, including the pay of the commissioners and the pay and subsistence of the guard for the commissioners; and a sum not exceeding four thousand dollars, to be expended in making pre-

sents to the Indians; and that the said states have credit for such advance out of the requisitions for the year 1786. Indian affairs.

Resolved, That in order to give greater security to the frontier settlement, and establish a boundary line between the United States and the Pattawatima, Twightwees, Piankeshaw, and other western nations, a treaty be held with the said Indians at Post Vincent, on the Wabash river, on the 20th day of June, 1785, or at such other time or place as the commissioners may find more convenient. In congress,
March 18,
1785.

That 18,429 pounds weight of beef, 21,047 pounds of flour, and salt in proportion, in addition to the rations now in use at fort M^cIntosh, will be necessary for the said treaty; and that the commissioners of the treasury take order to furnish the same, by contract.

That the commissioners for holding the aforesaid treaty, purchase and cause to be transported, such goods as they may judge necessary, in addition to the goods in store at fort M^cIntosh, to an amount not exceeding three thousand dollars, and that they be empowered to draw, out of the public magazines, if they think proper, such a quantity of powder as they may find necessary for the purposes of the treaty.

That the commissioners of the treaty take order to advance to the commissioners aforesaid, the sum of three thousand dollars, for which they are to account, in addition to the amount of the goods to be purchased as aforesaid.

That the troops at the western posts, or so many of them as may be required, be subject to the order of the aforesaid commissioners for holding the treaty, during the time of the said treaty.

Resolved, That the commissioners instructed to hold a treaty under the resolutions of the 18th of March last, with the western tribes of Indians, at Post St. Vincent, on the 20th day of June, for the purpose of obtaining from them a cession of lands, be, and they are hereby authorized and directed, to avail themselves of the disposition of the Indians, and the funds committed to their charge, to make such cession as extensive and liberal as possible. In congress,
June 6, 1785.

1. *Resolved*, That the commissioners instructed to hold a treaty, under the resolutions of the 18th March last, with the western tribes of Indians, for the purpose of obtaining from them a cession of lands, be, and they are hereby authorized and directed, to avail themselves of the disposition of the Indians, and the funds committed to their charge, to make such cession as extensive and liberal as possible. In congress,
June 15, 1785.

2. That the board of treasury take order for the purchase of goods, in addition to those on hand at fort M^cIntosh, and those ordered to be purchased by the resolutions of the 18th

Indian affairs. March last, for the purpose of carrying the said treaty fully into effect, to an amount not exceeding three thousand dollars.

3. That the board of treasury take order for the purchase of provisions and other stores, for the support of the commissioners and others necessarily attending the treaty, to an amount not exceeding two thousand dollars.

4. That the board of treasury take order to answer the draughts of the commissioners of the treaty, for the pay of the officers, messengers, interpreters, and artificers, in a sum not exceeding two thousand dollars.

5. That the board of treasury take order for contracting, upon the best terms they can, for the transportation of the said goods to the place at which the treaty may be held, or such other places as the commissioners may think proper; and also for the transportation of the troops and their baggage, which may be necessarily employed in attending the said treaty.

6. That the commissioners be, and they are hereby authorized, to make rules and regulations for the management of the treaty, and the government of all those who attend it.

7. That they endeavor to obtain from the inhabitants, of Kaskaskies, St. Vincents, and others, a statement of their rights to lands within the said country, guaranteed to them by congress, in their acceptance of the Virginia cession, with the origin and extent thereof, and report the same. That they also administer to the said inhabitants, the following oath of allegiance: *I, ———, do solemnly swear (or affirm) that I will be true and faithful to the United States of America; that I renounce all allegiance and dependence upon any foreign prince or potentate whatsoever; and that I will, as becomes a good citizen, as far as in me lies, protect and defend the said United States from all attacks and invasions from other powers.*

8. That they prohibit the settlement of all persons, not properly authorized for that purpose, upon the unappropriated lands of the United States, and that they cause to be circulated in the said country the following proclamation:

Whereas it hath been represented to the United States in congress assembled, that several disorderly persons have crossed the river Ohio, and settled upon their unappropriated lands; and whereas it is their intention, as soon as it shall be surveyed, to open offices for the sale of a considerable part thereof, in such proportions, and under such other regulations, as may suit the convenience of all the citizens of the said states, and others who may wish to become purchasers of the same; and as such conduct tends to defeat the object which they have in view, is in direct opposition to the ordinances and resolutions of congress, and highly disrespectful to the federal authority, they have therefore thought fit, and do hereby issue this their pro-

clamation, strictly forbidding all such unwarrantable intrusions, ^{Indian affairs} and enjoining all those who have settled thereon, to depart, with their families and effects, without loss of time, as they shall answer the same at their peril.

That the secretary of war be, and he is hereby directed, to order the troops in the service of the United States to be in readiness to march at such time, and to such place or places, as the said commissioners, or any two of them, shall direct.

That the fourth of the instructions given on the 15th of October, 1783, to the commissioners for negotiating with the Indians, be, and it is hereby repealed.

On the report of a committee, consisting of Mr. Hardy, Mr. Howell, Mr. J. Henry, Mr. King, and Mr. Grayson, to whom ^{In congress, June 29, 1785.} was referred a motion of Mr. King:

Resolved, That the commissioners for negotiating a treaty with the western tribes of Indians, under the resolutions of the 18th of March last, and of the 15th of June instant, be, and they are hereby directed, to hold the said treaty on the western banks of the Ohio, at the rapids, or at the mouth of the Great Miami.

That the secretary of war detach one company of infantry, from the troops in the service of the United States, to attend the said commissioners to, at, and from, the place where the treaty aforesaid shall be held, and to be subject to the orders of the said commissioners, and that so much of the act of the 15th instant, as directs the secretary of war to order the troops in the service of the United States to be in readiness to attend the said commissioners, and so much of the said act as requires the commissioners to obtain from the inhabitants of Kaskaskies, St. Vincents, and others, a statement of their rights to lands, and to administer an oath to the said inhabitants, be, and are hereby repealed.

Resolved, That it be, and hereby is, recommended to the commonwealth of Virginia, on the request of the said commissioners, to furnish such numbers of the militia of that state, not exceeding one hundred and fifty men, from the counties within the state most convenient to the place where the said treaty is to be held, as will give full protection to all persons attending the same: provided, the company of infantry aforesaid shall be found to be insufficient for that purpose.

On the report of a committee, consisting of Mr. Monroe, Mr. Johnson, Mr. King, Mr. Kean, and Mr. Pinckney, to whom ^{In congress, July 12, 1786.} were referred the treaties made with the Indians:

Whereas it is unnecessary to continue the commissions longer in force, which were granted for the purpose of treating with the Indians in the northern, middle, and southern departments, as the future connexion and intercourse with the seve-

Indian affairs, ral Indian nations may, at a less expense, be maintained by a proper organization of the Indian department; therefore,
Resolved, That the several commissions of the 17th May, and 22d September, 1785, be, and they are hereby revoked.

In congress,
 Aug. 7, 1786.

An ordinance for the regulation of Indian affairs.

Whereas the safety and tranquillity of the frontiers of the United States do, in some measure, depend on the maintaining a good correspondence between their citizens and the several nations of Indians, in amity with them: and whereas the United States in congress assembled, under the ninth of the articles of confederation and perpetual union, have the sole and exclusive right and power of regulating the trade, and managing all affairs with the Indians, not members of any of the states; provided, that the legislative right of any state, within its own limits, be not infringed or violated:

Indian department divided into two districts, &c.

Be it ordained by the United States in Congress assembled, That from and after the passing of this ordinance, the Indian department be divided into two districts, viz: The southern, which shall comprehend within its limits all the nations in the territory of the United States, who reside southward of the river Ohio; and the northern, which shall comprehend all the other Indian nations within the said territory, and westward of Hudson river: provided, that all councils, treaties, communications, and official transactions, between the superintendent hereafter mentioned for the northern district, and the Indian nations, be held, transacted, and done, at the outpost occupied by the troops of the United States, in the said district. That a superintendent be appointed for each of the said districts, who shall continue in office for two years, unless sooner removed by congress, and shall reside within, or as near the district for which he shall be so appointed, as may be convenient for the management of its concerns. The said superintendents shall attend to the execution of such regulations as congress shall, from time to time, establish respecting Indian affairs. The superintendent for the northern district shall have authority to appoint two deputies, to reside in such places as shall best facilitate the regulations of the Indian trade, and to remove them for misbehavior. There shall be communications of all matters relative to the business of the Indian department, kept up between the said superintendents, who shall regularly correspond with the secretary of war, through whom all communications respecting the Indian department shall be made to congress; and the superintendents are hereby directed to obey all instructions which they shall, from time to time, receive from the said secretary of war. And whenever they shall have reason to suspect any tribe or tribes of Indians of hostile intentions, they shall communicate the same to the executive of the state or states whose territories are subject to

A superintendent for each district, &c.

the effect of such hostilities. All stores, provisions, or other property, which congress may think necessary for presents to the Indians, shall be in the custody and under the care of the said superintendents, who shall render an annual account of the expenditures of the same to the board of treasury. Indian affairs.

And be it further ordained, That none but citizens of the United States shall be suffered to reside among the Indian nations, or be allowed to trade with any nation of Indians within the territory of the United States. That no person, citizen or other, under the penalty of five hundred dollars, shall reside among or trade with any Indian, or Indian nation, within the territory of the United States, without a license for that purpose first obtained from the superintendent of the district, or one of the deputies, who are hereby directed to give such license to every person who shall produce, from the supreme executive of any state, a certificate, under the seal of the state, that he is of good character, and suitably qualified and provided for that employment; for which license he shall pay the sum of fifty dollars to the said superintendent, for the use of the United States. That no license to trade with the Indians shall be in force for a longer term than one year, nor shall permits or passports be granted to any other persons than citizens of the United States, to travel through the Indian nations, without their having previously made their business known to the superintendent of the district, and received his special approbation. That previous to any person or persons obtaining a license to trade as aforesaid, he or they shall give bond, in three thousand dollars, to the superintendent of the district, for the use of the United States, for his or their strict adherence to, and observance of, such rules and regulations as congress may, from time to time, establish for the government of the Indian trade. All sums to be received by the said superintendents, either for licenses or fines, shall be annually accounted for by them, with the board of treasury. None but citizens to reside or trade with the Indians, &c.

And be it further ordained, That the said superintendents, and the deputies, shall not be engaged either directly or indirectly, in trade with the Indians, on pain of forfeiting their offices: and each of the superintendents shall take the following oath, previous to his entering on the duties of his appointment: "*I, A B, do swear, that I will well and faithfully serve the United States in the office of superintendent of Indian affairs, for the ———— district; that I will carefully attend to all such orders and instructions as I shall, from time to time, receive from the United States in congress assembled, or the secretary of war; that I will not be concerned, either directly or indirectly, in trade with the Indians, and that in all things belonging to my said office, during my continuance therein, I will faithfully, justly,*" Superintendents and deputies not to trade, &c.
Form of oath to be taken by superintendents.

Indian affairs. *and truly, according to the best of my skill and judgment, do equal and impartial justice, without fraud, favor, or affection."* And the superintendent for the northern district shall administer to his deputies the following oath, before they proceed on the duties of their office: "*I, A B, do swear, that I will well and faithfully serve the United States, in the office of deputy superintendent of Indian affairs, in the northern district; that I will carefully attend to all such orders and instructions as I shall, from time to time, receive from the United States in congress assembled, the secretary of war, or the superintendent of the district aforesaid, and that in all things belonging to my said office, during my continuance therein, I will faithfully, justly, and truly, according to the best of my skill and judgment, do equal and impartial justice, without fraud, favor, or affection."* And the said superintendents, and deputy superintendents, shall each of them give bond with surety to the board of treasury, in trust for the United States; the superintendents, each, in the sum of six thousand dollars, and the deputy superintendents, each, in the sum of three thousand dollars, for the faithful discharge of the duties of their office.

Form of oath to be taken by deputies of superintendent in northern district.

Bond and surety.

Recovery of fines and forfeitures, &c.

And it is further ordained, That all fines and forfeitures, which may be incurred by contravening this ordinance, shall be sued for, and recovered before any court of record within the United States, the one moiety thereof to the use of him or them who may prosecute therefor, and the other moiety to the use of the United States. And the said superintendents shall have power, and hereby are authorized, by force, to restrain therefrom all persons who shall attempt an intercourse with the said Indians, without a license therefor obtained as aforesaid.

Superintendents, in certain cases, to act in conjunction with state authorities.

And be it further ordained, That in all cases where transactions with any nation or tribe of Indians, shall become necessary to the purposes of this ordinance, which cannot be done without interfering with the legislative rights of a state, the superintendent in whose district the same shall happen, shall act in conjunction with the authority of such state.

Done by the United States in congress assembled, this seventh day of August, A. D. one thousand seven hundred and eighty-six, &c.

In congress, Oct. 6, 1786.

Resolved, That the oaths required of the superintendents of Indian affairs, be taken before any one of the judges of the supreme court in any of the United States.

In congress, July 18, 1787.

Resolved, That congress approve the measures taken by the secretary of war, with respect to the Indian chiefs of the Cherokee, Choctaw, and Chickasaw tribes, on their late visit to the seat of congress, and that the expenses attending the same be allowed.

Resolved, That all communications to the United States in Indian affairs, congress, from the Indian tribes, ought to be made through the superintendents of Indian affairs.

Resolved, That if any trader or other person shall, without the authority of the said superintendents, undertake to conduct any Indian or Indians to the seat of congress, he shall be responsible for all expenses which may attend the same: and further, that where the person so acting as a conductor, shall be a trader, his license to trade with the said Indians shall become forfeited, and the same shall, at no time thereafter, be renewed.

Resolved, That the superintendents of Indian affairs be instructed to make public the foregoing resolutions, and to govern themselves accordingly.

Resolved, That the superintendent of Indian affairs for the northern department, and in case he be unable to attend, then In congress, July 21, 1787. colonel Josiah Harmer, immediately proceed to Post St. Vincents, or some other place more convenient, in his opinion, for holding a treaty with the Wabash Indians, the Shawanees, and other hostile tribes; that he inform those Indians that congress is sincerely disposed to promote peace and friendship between their citizens and the Indians; that to this end, he is sent to invite them, in a friendly manner, to a treaty with the United States, to hear their complaints, to know the truth, and the causes of their quarrels with those frontier settlers; and having invited those Indians to the treaty, he shall make strict inquiry into the causes of their uneasiness and hostile proceedings, and form a treaty of peace with them, if it can be done on terms consistent with the honor and dignity of the United States.

Resolved, That a general treaty be held with the tribes of Indians within the limits of the United States, inhabiting the country northwest of the Ohio, and about lake Erie, as soon after the first of April next as conveniently may be, and at such place, and at such particular time, as the governor of the western territory shall appoint, for the purposes of knowing the causes of uneasiness among the said tribes, and hearing their complaints; of regulating trade, and amicably settling all affairs concerning lands and boundaries between them and the United States. In congress, Oct. 5, 1787.

On motion of Mr. King, seconded by Mr. Kean,

Resolved, That twenty thousand dollars be, and hereby are appropriated, for the purpose of Indian treaties, whenever the same shall be hereafter judged necessary by a majority of the United States in congress assembled, and that the resolutions for holding a general treaty with the Indians, passed the fifth of the present month, be, and they are hereby repealed. In congress, Oct. 12, 1787.

Resolved, That the governor of the western territory be, and he is hereby empowered, to hold a general treaty with the ad- In congress, Oct. 22, 1787.

Indian affairs. jacent Indian tribes, in the ensuing spring, if, in his judgment, the public good requires it, and that he be authorized to draw for such sums of the money appropriated by the resolve of congress of the 12th instant, as may be necessary to effect this object, not exceeding, in the whole, the sum of 14,000 dollars.

In congress,
Oct. 26, 1787. *Resolved*, That the executive, or legislature, if they be in session, in the states of North Carolina, South Carolina, and Georgia, be, and they are hereby authorized, to appoint, each of them, one commissioner; who shall, in conjunction with the superintendent of Indian affairs for the southern department, or, in his absence, by themselves, negotiate a treaty for the establishing peace between the United States and the tribes of Indians in the southern department; and any two of the commissioners to be appointed as aforesaid, in conjunction with the superintendent, or in case of the absence of the superintendent, any two of the said commissioners agreeing, their decision shall be final and conclusive; and that the said commissioners shall each be allowed five dollars a day, for the time they shall be employed in that business, in full for their services and expenses, exclusive of their expenses at the place or places where the treaties shall be held.

That the sum of six thousand dollars, being a part of the sum appropriated by the resolution of the twelfth of the present month, for holding Indian treaties, in addition to the goods in the hands of the former commissioners for holding a treaty with the southern Indians, be applied to holding the said treaty, at such time and such places as shall be appointed by the superintendent of Indian affairs for the southern department, in conjunction with the executive of the state of North Carolina, for the treaty with the Cherokees, and with the executive of Georgia, for that with the Creek nation; or, in case of the absence of the superintendent, then the time and place to be appointed by the executive of each state, in manner aforesaid. The aforesaid sum to be in full for all charges, of whatsoever nature they may be, relative to the said treaty, including the pay of the commissioners and militia: and, that the states of North Carolina, South Carolina, and Georgia, be called on to furnish the aforesaid sum, in equal proportions, to be credited on requisitions of congress.

That the commissioners aforesaid be, and they hereby are authorized, to apply to the states of North Carolina, South Carolina, and Georgia, for any number of men, not exceeding one hundred of their militia, for the purpose of guarding and protecting the stores and goods necessary for carrying on the said treaty.

Resolved, That if, under the authority given the 22d day of the present month, to the governor of the territory of the United States northwest of the river Ohio, he shall think it ex-

pedient to hold a treaty with the Indian tribes in the northern Indian affairs department, he shall apply to the commanding officer of the troops of the United States, for such a number of men as he may deem proper for guarding and protecting the stores and goods necessary for holding the said treaty; and the commanding officer of the troops of the United States shall cause the said number of men to be marched to such place, and at such time, as shall be directed by the governor.

Whereas it is represented to congress, by the delegates of the state of Georgia, that the principal parts of the frontiers of that state have been for several years past invaded, and kept in a state of alarm by the Creek Indians: that the fighting men of that nation, supposed to amount to not less than six thousand, have been so far instigated by refugees and fugitive traders, who had formerly escaped from these states and taken refuge among them, as to keep up constant and bloody incursions on the different parts of that frontier, and that the settlements of four of the exterior counties are almost entirely broken up:

Resolved, That the superintendent and commissioners for the southern department be instructed, if they shall find it necessary, to notify to the said Indians, that should they persist in refusing to enter into a treaty upon reasonable terms, the arms of the United States shall be called forth for the protection of that frontier.

Ordered, That the secretary of war report to congress a plan for carrying into effect the purposes specified in the preceding resolve, as nearly as may be, upon the principles of the resolution of the 21st of July last, for the protection of the frontiers of Pennsylvania and Virginia.

A Proclamation.

Whereas the United States in congress assembled, by their commissioners duly appointed and authorized, did, on the twenty-eighth day of November, one thousand seven hundred and eighty-five, at Hopewell, on the Keowee, conclude articles of a treaty with all the Cherokees, and among other things stipulated and engaged by article fourth, "that the boundary allotted to the Cherokees for their hunting grounds, between the said Indians and the citizens of the United States, within the limits of the United States of America, is and shall be the following, viz: Beginning at the mouth of Duck river on the Tennessee; thence running northeast to the ridge dividing the waters running into Cumberland from those running into the Tennessee; thence eastwardly along the said ridge, to a north-east line to be run, which shall strike the river Cumberland forty-five miles above Nashville; thence along the said line to the river; thence up the said river to the ford, where the Ken-

In congress,
Sept. 1, 1788.

Indian affairs. tucky road crosses the river; thence, to Campbell's line, near to Cumberland Gap; thence to the mouth of Claud's creek on Holston; thence to the Chimney-top mountain; thence to Camp creek, near the mouth of Big Limestone, on Nolichucky; thence a southerly course, six miles, to a mountain; thence south to the North Carolina line; thence to the South Carolina Indian boundary, and along the same southwest, over the top of the Oconee mountain, till it shall strike Tugalo river; thence a direct line to the top of the Currahee mountain; thence to the head of the south fork of the Oconee river." And by article fifth, that "if any citizen of the United States, or other person, not being an Indian, should attempt to settle on any of the lands westward or southward of the said boundary, which were allotted to the Indians for their hunting grounds, or having settled previously to concluding the said treaty, and not removing from the same within six months after the ratification of the said treaty, such person should forfeit the protection of the United States, and that the Indians might punish him, or not, as they please; provided, that the said fifth article should not extend to the people settled between the fork of French Broad and Holston rivers, whose particular situation should be transmitted to the United States in congress assembled, for their decision thereon, which the Indians agreed to abide by." And whereas it has been represented to congress, that several disorderly persons settled on the frontiers of North Carolina, in the vicinity of Chota, have, in open violation of the said treaty, made intrusions upon the said Indian hunting grounds, and committed many unprovoked outrages upon the said Cherokees, who, by the said treaty, have put themselves under the protection of the United States, which proceedings are highly injurious and disrespectful to the authority of the union, and it being the firm determination of congress to protect the said Cherokees in their rights, according to the true intent and meaning of the said treaty; the United States in congress assembled have therefore thought fit to issue, and they do hereby issue, this their proclamation, strictly forbidding all such unwarrantable intrusions, and hostile proceedings against the said Cherokees; and enjoining all those who have settled upon the said hunting grounds of the said Cherokees, to depart, with their families and effects, without loss of time, as they shall answer their disobedience to the injunctions and prohibitions expressed in this resolution at their peril: provided, that this proclamation shall not be construed as requiring the removal of the people settled between the fork of French Broad and Holston rivers, referred to in the said treaty: provided, also, that nothing contained in this proclamation shall be considered as affecting the territorial claims of the state of North Carolina. Done, &c.

Resolved, That the secretary of war be, and he is hereby ^{Indian affairs.} directed, to have a sufficient number of the troops in the service of the United States, in readiness to march from the Ohio, to the protection of the Cherokees, whenever congress shall direct the same; and that he take measures for obtaining information of the best routes for troops to march from the Ohio to Chota; and for dispersing among all the white inhabitants settled upon, or in the vicinity of, the hunting grounds secured to the Cherokees, by the treaty concluded between them and the United States, November 28, 1785, the proclamation of congress of this date.

No. 2. Articles of agreement and cession between the United States and the state of Georgia.

Articles of agreement and cession entered into on the twenty-fourth day of April, one thousand eight hundred and two, between the commissioners appointed on the part of the United States, by virtue of an act, entitled "An act for an amicable settlement of limits with the state of Georgia, and authorizing the establishment of a government in the Mississippi territory," and of the act supplemental to the last mentioned act,* on the one part; and the commissioners appointed on the part of the state of Georgia, by virtue of an act, entitled "An act to carry the twenty-third section of the first article of the constitution into effect," and of the act to amend the last mentioned act, on the other part.

Art. 1. The state of Georgia cedes to the United States all ^{Georgia cedes} the right, title, and claim, which the said state has to the ju- ^{territory west} risdiction and soil of the lands situated within the boundaries ^{of Chatahou-} of the United States, south of the state of Tennessee, and west ^{chee and of a} of a line beginning on the western bank of the Chatahouchee ^{certain line,} river, where the same crosses the boundary line between the United States and Spain; running thence up the said river Chatahouchee, and along the western bank thereof to the great bend thereof, next above the place where a certain creek or river, called "Uchee," (being the first considerable stream on the western side, above the Cussetas and Coweta towns,) empties into the said Chatahouchee river; thence in a direct line to Nickajack, on the Tennessee river; thence crossing the said last mentioned river, and thence running up the said Tennessee river, and along the western bank thereof, to the southern boundary line of the state of Tennessee; upon the following express conditions, and subject thereto, that is to say:

First. That out of the first net proceeds of the sales of the ^{Conditions} lands thus ceded, which net proceeds shall be estimated by

* See the act of April 7th, 1798; and the act of May 10th, 1800.

deducting from the gross amount of sales, the expenses incurred in surveying, and incident to the sale, the United States shall pay, at their treasury, one million two hundred and fifty thousand dollars to the state of Georgia, as a consideration for the expenses incurred by the said state, in relation to the said territory; and that for the better securing as prompt a payment of the said sum as is practicable, a land office for the disposition of the vacant lands thus ceded, to which the Indian title has been, or may hereafter be, extinguished, shall be opened within a twelvemonth after the assent of the state of Georgia to this agreement, as hereafter stated, shall have been declared.

Certain settlers confirmed in their grants and in certain claims.

*See act of 3d March, 1803.

Lands thus ceded to be a common fund.

Proviso.

U. S. may dispose of, or appropriate, not exceeding five millions of acres for satisfying certain claims.

But said appropriation to be made within one year, or to be null, &c.

Secondly. That all persons who, on the twenty-seventh day of October, one thousand seven hundred and ninety-five, were actual settlers within the territory thus ceded, shall be confirmed in all the grants legally and fully executed prior to that day, by the former British government of West Florida, or by the government of Spain,* and in the claims which may be derived from any actual survey or settlement made under the act of the state of Georgia, entitled "An act for laying out a district of land situate on the river Mississippi, and within the bounds of this state, into a county, to be called "Bourbon," passed the seventh day of February, one thousand seven hundred and eighty-five.

Thirdly. That all the lands ceded by this agreement to the United States shall, after satisfying the abovementioned payment of one million two hundred and fifty thousand dollars to the state of Georgia, and the grants recognized by the preceding conditions, be considered as a common fund for the use and benefit of the United States, Georgia included, and shall be faithfully disposed of for that purpose, and for no other use or purpose whatever: provided, however, that the United States, for the period and until the end of one year after the assent of Georgia to the boundary established by this agreement shall have been declared, may, in such manner as not to interfere with the abovementioned payment to the state of Georgia, nor with the grants herein before recognized, dispose of, or appropriate a portion of the said lands, not exceeding five millions of acres, or the proceeds of the said five millions of acres, or of any part thereof, for the purpose of satisfying, quieting, or compensating, for any claims other than those herein before recognized, which may be made to the said lands or to any part thereof. It being fully understood, that if an act of congress, making such disposition or appropriation, shall not be passed into a law, within the abovementioned period of one year,† the United States shall not be at liberty thereafter to cede any part of the said lands on account of claims which may be laid to the same, other than those recognized by the preceding con-

† See the act of 3d March, 1803.

dition, nor to compensate for the same; and in case of any such cession or compensation, the present cession of Georgia to the right of soil over the lands thus ceded or compensated for shall be considered as null and void; and the lands thus ceded or compensated for shall revert to the state of Georgia.

Fourthly. That the United States shall, at their own expense, extinguish, for the use of Georgia, as early as the same can be peaceably obtained, on reasonable terms, the Indian title to the county of Talassee, to the lands left out by the line drawn with the Creeks, in the year one thousand seven hundred and ninety-eight, which had been previously granted by the state of Georgia; both which tracts had formerly been yielded by the Indians; and to the lands within the forks of Oconee and Oakmulgee rivers; for which several objects, the president of the United States has directed that a treaty should be immediately held with the Creeks; and that the United States shall, in the same manner, also extinguish the Indian title to all the other lands within the state of Georgia.

Indian title to lands in Georgia to be extinguished by the U. S.

Fifthly. That the territory thus ceded shall form a state, and be admitted as such into the union, as soon as it shall contain sixty thousand free inhabitants, or at an earlier period if congress shall think it expedient, on the same conditions and restrictions, with the same privileges, and in the same manner, as is provided in the ordinance of congress of the 13th day of July, one thousand seven hundred and eighty-seven, for the government of the Western Territory of the United States, which ordinance shall, in all its parts, extend to the territory contained in the present act of cession, that article only excepted which forbids slavery.

Territory to form a state and to be admitted into the union.

Art. 2. The United States accept the cession abovementioned, and on the conditions therein expressed; and they cede to the state of Georgia whatever claim, right, or title, they may have to the jurisdiction or soil of any lands, lying within the United States, and out of the proper boundaries of any other state, and situated south of the southern boundaries of the states of Tennessee, North Carolina, and South Carolina, and east of the boundary line herein above described, as the eastern boundary of the territory ceded by Georgia to the United States.

Cession accepted by U. States.
U. S. cede to Georgia certain lands east of the line abovementioned.

Art. 3. The present act of cession and agreement shall be in full force as soon as the legislature of Georgia shall have given its assent to the boundaries of this cession; provided that the said assent shall be given within six months after the date of these presents, and provided that congress shall not, during the same period of six months, repeal so much of any former law as authorizes this agreement, and renders it binding and conclusive on the United States. But if either the assent of Georgia shall not be thus given, or if the law of the

Assent of Georgia to be given within six months.

Agreement
null, if, &c.

United States shall be thus repealed within the said period of six months, then, and in either case, these presents shall become null and void.

Signed, &c.

ACT OF GEORGIA.

An act to ratify and confirm certain articles of agreement and cession, entered into on the 24th day of April, 1802, between the commissioners of the state of Georgia on the one part, and the commissioners of the United States on the other part.

Whereas the commissioners of the state of Georgia, to wit: James Jackson, Abraham Baldwin, and John Milledge, duly authorized and appointed by, and on the part and behalf of, the said state of Georgia, and the commissioners of the United States, James Madison, Albert Gallatin, and Levi Lincoln, duly authorized and appointed by and on the part and behalf of the said United States, to make an amicable settlement of limits between the two sovereignties, after a due examination of their respective powers, did, on the 24th day of April last, enter into a deed of articles and mutual cession, in the words following, to wit:

[Here follow the articles of agreement, verbatim.]

Articles of
agreement
ratified.

Be it enacted by the senate and house of representatives of the state of Georgia, in general assembly met, and by the authority thereof, That the said deed or articles of agreement and cession be, and the same hereby is and are fully, absolutely, and amply, ratified and confirmed in all its parts; and hereby is and are declared to be binding and conclusive on the said state, her government and citizens, forever.

No. 3. Message from the president of the United States, transmitting to the senate sundry documents in relation to the various tribes of Indians within the United States, and recommending a plan for their future location and government.

TO THE SENATE OF THE UNITED STATES:

Importance of
the removal of
Indian tribes
from the lands
they occupy
within the
several states
and territo-
ries-

Being deeply impressed with the opinion, that the removal of the Indian tribes from the lands which they now occupy within the limits of the several states and territories, to the country lying westward and northward thereof, within our acknowledged boundaries, is of very high importance to our union, and may be accomplished, on conditions, and in a manner, to promote the interest and happiness of those tribes, the attention of the government has been long drawn, with great solicitude, to the object. For the removal of the tribes with-

in the limits of the state of Georgia, the motive has been peculiarly strong, arising from the compact with that state, whereby the United States are bound to extinguish the Indian title to the lands within it, whenever it may be done peaceably and on reasonable conditions. In the fulfilment of this compact I have thought that the United States should act with a generous spirit, that they should omit nothing which should comport with a liberal construction of the instrument, and likewise be in accordance with the just rights of those tribes. From the view which I have taken of the subject, I am satisfied, that, in the discharge of these important duties, in regard to both the parties alluded to, the United States will have to encounter no conflicting interests with either: on the contrary, that the removal of the tribes, from the territory which they now inhabit, to that which was designated in the message at the commencement of the session, which would accomplish the object for Georgia, under a well digested plan for their government and civilization, which should be agreeable to themselves, would not only shield them from impending ruin, but promote their welfare and happiness. Experience has clearly demonstrated, that, in their present state, it is impossible to incorporate them, in such masses, in any form whatever, into our system. It has also demonstrated, with equal certainty, that, without a timely anticipation of, and provision against, the dangers to which they are exposed, under causes which it will be difficult, if not impossible, to control, their degradation and extermination will be inevitable.

The great object to be accomplished is, the removal of those tribes to the territory designated, on conditions which shall be satisfactory to themselves and honorable to the United States. This can be done only by conveying to each tribe a good title to an adequate portion of land to which it may consent to remove, and by providing for it there, a system of internal government, which shall protect their property from invasion, and, by the regular progress of improvement and civilization, prevent that degeneracy which has generally marked the transition from the one to the other state.

The object to be accomplished by the removal of these tribes; and the mode of effecting it.

I transmit, herewith, a report from the secretary of war, which presents the best estimate which can be formed from the documents in that department of the number of Indians within our states and territories, and of the amount of lands held by the several tribes within each; of the state of the country lying northward and westward thereof, within our acknowledged boundaries; of the parts to which the Indian title has already been extinguished, and of the conditions on which other parts, in an amount which may be adequate to the object contemplated, may be obtained. By this report, it appears, that the Indian title has already been extinguished to ex-

Report of the secretary of war.

tensive tracts in that quarter, and that other portions may be acquired to the extent desired, on very moderate conditions. Satisfied, I also am, that the removal proposed is not only practicable, but that the advantages attending it, to the Indians, may be made so apparent to them, that all the tribes, even those most opposed, may be induced to accede to it, at no very distant day.

A government for the Indians an object of high importance.

The digest of such a government, with the consent of the Indians, which should be endowed with sufficient power to meet all the objects contemplated, to connect the several tribes together in a bond of amity, and preserve order in each; to prevent intrusions on their property; to teach them, by regular instructions, the arts of civilized life, and make them a civilized people, is an object of very high importance. It is the powerful consideration, which we have to offer to these tribes as an inducement to relinquish the lands on which they now reside, and to remove to those which are designated. It is not doubted, that this arrangement will present considerations of sufficient force to surmount all their prejudices in favor of the soil of their nativity, however strong they may be. Their elders have sufficient intelligence to discern the certain progress of events, in the present train, and sufficient virtue, by yielding to momentary sacrifices, to protect their families and posterity from inevitable destruction. They will also perceive that they may thus attain an elevation, to which, as communities, they could not otherwise aspire.

Advantages of the proposed arrangement to the U. States.

To the United States, the proposed arrangement offers many important advantages in addition to those which have been already enumerated. By the establishment of such a government over these tribes, with their consent, we become, in reality, their benefactors. The relation of conflicting interests, which has heretofore existed between them and our frontier settlements, will cease. There will be no more wars between them and the United States. Adopting such a government, their movement will be in harmony with us, and its good effect be felt throughout the whole extent of our territory, to the Pacific. It may fairly be presumed, that, through the agency of such a government, the condition of all the tribes inhabiting that vast region, may be essentially improved: that permanent peace may be preserved with them, and our commerce be much extended.

Declaration of fundamental principles, recommended to be adopted by congress.

Commissioners recom-

With a view to this important object, I recommend it to congress to adopt, by solemn declaration, certain fundamental principles, in accord with those above suggested, as the basis of such arrangements as may be entered into with the several tribes, to the strict observance of which the faith of the nation shall be pledged. I recommend it, also, to congress, to provide, by law, for the appointment of a suitable number of com-

missioners, who shall, under the direction of the president, be authorized to visit, and explain to the several tribes, the objects of the government, and to make with them, according to their instructions, such arrangements as shall be best calculated to carry those objects into effect.

A negotiation is now depending with the Creek nation for the cession of lands held by it within the limits of Georgia, and with a reasonable prospect of success. It is presumed, however, that the result will not be known during the present session of congress. To give effect to this negotiation, and to the negotiations which it is proposed to hold, with all the other tribes within the limits of the several states and territories, on the principles and for the purposes stated, it is recommended, that an adequate appropriation be now made by congress.

JAMES MONROE.

WASHINGTON, 27th January, 1825.

DEPARTMENT OF WAR,
24th January, 1825.

In obedience to your instructions, directing a statement of the names of the Indian tribes now remaining within the limits of the different states and territories, the number of each tribe, and the quantity of land claimed by each; also, an estimate of the amount of appropriation necessary to commence the work of moving the Indians beyond the Mississippi, to be laid before you, I herewith enclose a report from Colonel McKenney, to whom is assigned the charge of the office of Indian affairs, which contains all of the information required, except the estimate of the sum that will be necessary to be appropriated to commence the removal.

In forming the estimate required, it will be necessary to take a summary view of the number and position of the several tribes to be removed, and to form a plan in detail for their removal.

It appears, by the report enclosed, that there are in the several states and territories, not including the portion of Michigan territory west of Lake Michigan, and north of the state of Illinois, about 97,000 Indians, and that they occupy about 77,000,000 of acres of land.

The arrangement for the removal, it is presumed, is not intended to comprehend the small remnants of tribes in Maine, Massachusetts, Connecticut, Rhode Island, Virginia, and South Carolina, amounting to 3,023. To these also may be added the remnants of tribes remaining in Louisiana, amounting to 1,313, as they are each of them so few in number, that, it is believed, very little expense or difficulty will be found in their removal, making together 4,336, which, subtracted from the

Prospects of success with the Creek nation.

For this and other objects, appropriation recommended.

Report of J. C. Calhoun, secretary of war, referred to in the preceding message of the president.

Summary view of the number and position of the several tribes, &c., and a plan for their removal.

97,000, the entire number in the states and territories, will leave 92,664 to be removed. Of these, there are residing in the northern parts of the states of Indiana, Illinois, in the peninsula of Michigan, and New York, including the Ottawas in Ohio, about 13,150; which, I would respectfully suggest, might be removed, with advantage, to the country west of Lake Michigan, and north of the state of Illinois. The climate and the nature of the country are much more favorable to their habits, than that west of the Mississippi; to which may be added, that the Indians in New York have already commenced a settlement at Green Bay, and exhibit some disposition to make it a permanent one; and that the Indians referred to in Indiana, Illinois, in the peninsula of Michigan, and Ohio, will find in the country designated, kindred tribes, with whom they may be readily associated. These considerations, with the greater facility with which they could be collected in that portion of the country, compared with that of collecting them west of the Mississippi, form a strong inducement to give it the preference. Should the proposition be adopted, the Indians in question might be gradually collected, as it became necessary, from time to time, to extinguish the Indian title in Indiana, Illinois, and Michigan, without incurring any additional expense, other than what is usually incidental to such extinguishment. Deducting, then, the Indians residing in the north-western parts of Indiana, Illinois, in Michigan, and New York, with the Ottawas in Ohio, amounting to 13,150, from 92,664, will leave but 79,514. It is proper to add, that a late treaty with the Quapaws stipulates, and provides, for their removal, and that they may also be deducted from the number, for whose removal provision ought to be made. They are estimated at 700, which, deducted from 79,514, will leave 78,814 to be removed west of the state of Missouri and territory of Arkansas, should the views of the department be adopted.

Of these, there are estimated to reside in the states of North Carolina, Georgia, Tennessee, Alabama and Mississippi, 53,625, consisting of Cherokees, Creeks, Choctaws, and Chickasaws; and claiming about 33,573,176 acres, including the claim of the Cherokees, in North Carolina; 3,082 in Ohio, and in the southern and middle parts of Indiana and Illinois, consisting of Wyandots, Shawanees, Senecas, Delawares, Kaskaskias, and Miami and Eel Rivers; 5,000 in Florida, consisting of Seminoles and remnants of other tribes; and the remainder in Missouri and Arkansas, consisting of Delawares, Kickapoos, Shawanees, Weas, Ioways, Piankeshaws, Cherokees, Quapaws, and Osages.

Tract of country to be acquired for the

The next subject of consideration will be, to acquire a sufficient tract of country west of the state of Missouri and territory of Arkansas, in order to establish permanent settlements,

in that quarter, of the tribes which are proposed to be removed. The country between the Red River and the Arkansas has already been allotted to the Choctaws, under the treaty of the 18th October, 1820. The country north of the river Arkansas, and immediately west of the state of Missouri, is held almost entirely by the Osages and Kanzas. The principal settlement of the former being on the Osage river, not far west of the western boundary of Missouri; and of the latter, on the Missouri river, near Cow Island. There is a band of the Osages situated on the Verdigris, a branch of the Arkansas. Governor Clark has been already instructed to take measures to remove them from the Verdigris, to join the other bands on the Osage river. To carry this object into effect, and to extinguish the title of the Osages upon the Arkansas, and in the state of Missouri; and also to extinguish the title of the Kanzas to whatever tract of country may be necessary to effect the views of the government, will be the first object of expenditure; and would require an appropriation, it is believed, of not less than 30,000 dollars. After this is effected, the next will be, to allot a portion of the country to each of the tribes, and to commence the work of removal. The former could be effected, by vesting in the president discretionary power to make the location; and the latter, by commencing with the removal of the Cherokees, Piankeshaws, Weas, Shawanees, Kickapoos, and Delawares, who now occupy different tracts of country, lying in the northwestern portion of the Arkansas territory, and the southwestern portion of the state of Missouri. It is believed that the Cherokees, to whom has been allotted a country lying between the Arkansas and White rivers, will very readily agree to removing their eastern boundary farther west, on the consideration, that, for the lands thereby ceded, they may have assigned to them an equal quantity farther west, as they have evinced a strong disposition to prevent the settlement of the whites to the west of them. It is probable, that this arrangement could be effected by an appropriation of a few thousand dollars, say five thousand, for the expense of holding the treaty. Nor is it believed that there will be any difficulty in inducing the Piankeshaws, Weas, Shawanees, Kickapoos, and Delawares, to occupy a position, that may be assigned to them west of the state of Missouri; or that the operation will be attended with any great expense. The kindred tribes, in the states of Ohio and Indiana, including the Wyandotts, the Senecas, and the Miamies, and Eel Rivers, in those states; and the Kaskaskias, in Illinois, it is believed, might be induced, without much difficulty, to join them, after those now residing in Missouri, are fixed in their new position, west of that state. Of the sum that will be necessary for this purpose, it is difficult to form an estimate.

permanent settlement of the tribes proposed to be removed. Tribes or nations for which lands may be acquired.

\$30,000 to be required for this object.

Removal of Cherokee eastern boundary farther west.

\$5,000 for holding treaty with Cherokees for this object.

No difficulty in inducing the Piankeshaws, Weas, &c. to remove.

Estimate of
expense for
this object.

These tribes amount to 3,082. The expense of extinguishing their title to the lands occupied by them, will probably be high in comparison with the price which has been usually given for lands in that quarter, as they, particularly the Indians in Ohio, have made some advances in civilization, and considerable improvements on their lands. The better course would be, to remove them gradually, commencing with those tribes which are most disposed to leave their present settlements, and, if this arrangement should be adopted, an appropriation of 20,000 dollars would be sufficient to commence with.

\$20,000 suffi-
cient to begin
with.

Disposition of
certain tribes
to join Chero-
kees on the
Arkansas.

It may, however, be proper to remark, that these tribes, together with those in New York, have indicated a disposition to join the Cherokees on the Arkansas, and that a deputation of the former, with a deputation from those Cherokees, are now on their way to the seat of government, in order to make some arrangements to carry the proposed union into effect. Should it be accomplished, it would vary the arrangement which has been suggested in relation to them, but will not, probably, materially vary the expense.

Removal of
the Indians in
Florida, and
N. C. &c.

It only remains now to consider the removal of the Indians in Florida, and the four southern tribes residing in North Carolina, Georgia, Tennessee, Alabama, and Mississippi.

Indians in
Florida.

It is believed that immediate measures need not be taken with regard to the Indians in Florida. By the treaty of the 18th September, 1823, they ceded the whole of the northern portion of Florida, with the exception of a few small reservations, and have had allotted to them the southern part of the peninsula; and it is probable that no inconvenience will be felt for many years, either by the inhabitants of Florida, or the Indians, under the present arrangement.

The four
southern
tribes.

Of the four southern tribes, two of them, the Cherokees and Choctaws, have already allotted to them a tract of country west of the Mississippi. That which has been allotted to the latter, is believed to be sufficiently ample for the whole nation, should they emigrate; and if an arrangement, which is believed not to be impracticable, could be made between them and the Chickasaws, who are their neighbours, and of similar habits and dispositions, it would be sufficient for the accommodation of both. A sufficient country should be reserved to the west of the Cherokees on the Arkansas, as a means of exchange with those who remain on the east. To the Creeks might be allotted a country between the Arkansas and Canadian river, which limits the northern boundary of the Choctaw possessions in that quarter. There is now pending with the Creeks a negotiation, under the appropriation of the last session, with a prospect, that the portion of that nation which resides within the limits of Georgia, may be induced, with the consent of the nation, to cede the country which they occupy

for a portion of the one which it is proposed to allot for the Creek nation on the west of the Mississippi. Should the treaty prove successful, its stipulations will provide for the means of carrying it into effect, which will render any additional provision at present, unnecessary. It will be proper to open new communications with the Cherokees, Choctaws, and Chickasaws, for the purpose of explaining to them the views of the government, and inducing them to remove beyond the Mississippi, on the principles and conditions which may be proposed to the other tribes. It is known, that there are many individuals of each of the tribes, who are desirous of settling west of the Mississippi, and should it be thought advisable, there can be no doubt, that if, by an adequate appropriation, the means were afforded the government of bearing their expense, they would emigrate. Should it be thought, that the encouragement of such emigration is desirable, the sum of 40,000 dollars, at least, would be required to be appropriated for this object, to be applied under the discretion of the president of the United States. The several sums which have been recommended to be appropriated, if the proposed arrangements should be adopted, amount to 95,000 dollars. The appropriation may be made either general or specific, as may be considered most advisable.

Individuals of these tribes desirous of removing if adequate encouragement were afforded.

\$40,000 required to give such encouragement.

Amount of appropriations required, \$95,000.

I cannot, however, conclude without remarking, that no arrangement ought to be made which does not regard the interest of the Indians, as well as our own, and that to protect the interest of the former, decisive measures ought to be adopted to prevent the hostility, which must almost necessarily take place if left to themselves, among tribes hastily brought together, of discordant character; and many of which are actuated by feelings far from being friendly towards each other. But the preservation of peace between them will not alone be sufficient to render their condition as eligible in their new situation, as it is in their present. Almost all of the tribes proposed to be affected by the arrangement, are more or less advanced in the arts of civilized life, and there is scarcely one of them, which have not the establishment of schools in the nation affording at once the means of moral, religious, and intellectual improvement. These schools have been established for the most part by religious societies, with the countenance and aid of the government, and on every principle of humanity the continuance of similar advantages of education ought to be extended to them in their new residence. There is another point which appears to be indispensable to be guarded, in order to render the condition of this race less afflicting. One of the greatest evils to which they are subject, is that incessant pressure of our population, which forces them from seat to seat, without allowing time for that moral and intellectual im-

In any arrangement to be made, interests of the Indians to be regarded as well as our own.

Preservation of peace.

Schools to be continued.

Evils of the pressure of our population.

Indians to be solemnly assured, that the country given them is to be permanently theirs. System of government to be established.

The favorable effect of these views, if adopted, on the Indians.

Disposition.

Plan for effecting the proposed arrangement.

President to be vested with authority to call a convention.

Additional sum of \$30,000 required

provement, for which they appear to be naturally eminently susceptible. To guard against this evil, so fatal to the race, there ought to be the strongest and the most solemn assurance, that the country given them should be theirs, as a permanent home for themselves and their posterity, without being disturbed by the encroachments of our citizens. To such assurance, if there should be added a system by which the government, without destroying their independence, would gradually unite the several tribes under a simple, but enlightened system of government and laws, formed on the principles of our own, and to which, as their own people would partake in it, they would, under the influence of the contemplated improvement, at no distant day, become prepared, the arrangements which have been proposed would prove to the Indians and their posterity a permanent blessing. It is believed that, if they could be assured that peace and friendship would be maintained among the several tribes; that the advantages of education which they now enjoy would be extended to them; that they should have a permanent and solemn guarantee for their possessions, and receive the countenance and aid of the government for the gradual extension of its privileges to them, there would be among all the tribes a disposition to accord with the views of the government. There are now in most of the tribes, well educated, sober, and reflecting individuals, who are afflicted at the present condition of the Indians, and despondent at their future prospects. Under the operation of existing causes, they behold the certain degradation, misery, and even the final annihilation of their race, and no doubt would gladly embrace any arrangement which would promise to elevate them in the scale of civilization, and arrest the destruction which now awaits them. It is conceived that one of the most cheap, certain, and desirable modes of effecting the object in view, would be, for congress to establish fixed principles, such as have been suggested as the basis of the proposed arrangement, and to authorize the president to convene, at some suitable point, all of the well informed, intelligent, and influential individuals of the tribes to be affected by it, in order to explain to them the views of the government, and to pledge the faith of the nation to the arrangements, that might be adopted. Should such principles be established by congress, and the president be vested with suitable authority to convene the individuals as proposed, and suitable provision be made to meet the expense, great confidence is felt, that a basis of a system might be laid, which, in a few years, would entirely effect the object in view, to the mutual benefit of the government and the Indians, and which, in its operations, would effectually arrest the calamitous course of events to which they must be subject without a radical change in the present system. Should

it be thought advisable to call such a convention, as one of the means of effecting the object in view, an additional appropriation of 30,000 dollars will be required; making in the whole, 125,000 dollars to be appropriated.

for the said convention.
Whole amount required, \$125,000.

All of which is respectfully submitted.

J. C. CALHOUN.

To the PRESIDENT of the United States.

DEPARTMENT OF WAR,

Office of Indian Affairs, Jan. 10, 1825.

SIR: I have the honor, herewith, to submit, in compliance with your directions, a table containing a statement of the names of the Indian tribes now remaining within the limits of the different states and territories; the number of each tribe; and the quantity of land claimed by each.

Report of col. McKenney, referred to in the preceding report of Mr. Calhoun.

There is no land assigned, as will be seen on reference to the table, to the Indians in Louisiana; yet, it is believed, the Caddoes have a claim, but to what extent is not known. So, also, have the Cherokees, (whose numbers are not known,) to a tract in the northwest corner of the state of North Carolina; which, it is believed, does not exceed 200,000 acres. In New Jersey, Pennsylvania, and perhaps in Maryland, a few Indians are remaining, but how many, or what quantity of land is owned by them, if any, there are no means of ascertaining.

There are now remaining within the limits of the different states and territories, as is shewn by the table, sixty-four tribes and remnants of tribes of Indians, whose "names" and "numbers" are given: who number, in the aggregate, 129,266 souls; and who claim 77,402,318 acres of land.

It will be seen by adverting to the table, that the Indians residing north of the state of Illinois, east of the Mississippi, and west of the lakes, are comprehended in the estimate of the number in Michigan territory; although, in estimating the quantity of land held by Indians in that territory, the portion, only, so held in the peninsula of Michigan, is estimated. It was found impossible, from any documents in possession of this office, to distinguish the number of Chippeways and Ottawas residing in the peninsula of Michigan from those residing on the west side of Lake Michigan. It is, however, believed, that the whole number residing in the peninsula, does not exceed 3,500; and these, as has been stated, are principally of the Chippewa and Ottawa tribes.

It may be proper also to remark, that of the 6,400 Sacs and Foxes who are included in the estimate as part of the 129,266; and who occupy lands on both sides the Mississippi, not more

than one-third of that number are supposed to reside on the east side; and, of the 5,200 Osages, who, by the table, are assigned to Missouri and Arkansas, it is believed, not more than one-third of that number reside within the state of Missouri and territory of Arkansas. If, therefore, the number assumed for the peninsula of Michigan, be correct, and two-thirds of the Sacs and Foxes, as is believed to be the fact, reside on the west of the Mississippi; and two-thirds of the Osages west of Missouri, and north of Arkansas, there will remain "within the limits of the different states and territories,"—confining the Michigan territory to the peninsula—97,384 Indians, possessing, (if the 200,000 acres, which are believed to be claimed by the Cherokees in North Carolina, be added,) 77,602,318 acres of land.

In obtaining this information, resort has been had, for the "names" and "numbers" of the Indian tribes, to the reports to this office, and to other sources of information which are deemed to be the most accurate; and, for the quantity of land claimed by them, to the files of this office; to the general land office; and to computations carefully made from the best maps, by Col. Roberdeau, of the topographical bureau.

The 4,000,000 of acres assumed as the quantity claimed by the Cherokees in Arkansas, although but an estimate, is believed to be nearly correct. The precise quantity, however, cannot be ascertained, until it is known how much they ceded on this side the Mississippi, for which, by the treaty of 1817, they are to receive an equal number of acres on the other.

I have the honor to accompany this with a note from Col. Roberdeau, in relation to the difference between his estimate of last year, of the lands claimed in Georgia, and his recent corrected computation of them.

I have the honor to be, very respectfully,

Your most obedient servant,

THOS. L. McKENNEY

To the hon. the secretary of war.

TOPOGRAPHICAL BUREAU,

January 10th, 1825.

Estimate of
the quantity of
lands owned
by the Chero-
kees and
Creeks in
Georgia.

The quantity of land in the state of Georgia, not ceded to the United States by Indians, was, last year, reported at 10,240,000 square acres; upon a review of the calculations, and having more correct documents than were then referred to, the whole quantity in the state appears to be 9,537,920 acres, of which 5,292,160 are of the Cherokees, and 4,245,760 of the Creeks, as nearly as can be computed.

I. ROBERDEAU,

Lt. col. Top. Engineers.

Col. THOS. L. McKENNEY,
Indian department.

STATEMENT, showing the Names and Numbers of the different Tribes of Indians now remaining within the limits of the several States and Territories, and the quantity of Land claimed by them respectively.

Names of the tribes.	States or territories in which located.	Numbers of each tribe.	Number in each state or territory.	Number of acres claimed by each tribe.	REMARKS.
St. John's Indians Passamaquoddy Penobscots	Maine do do	300 379 277	- - 956	- 100 92,160	No information as to their lands.
Marshpee Herring Pond Martha's Vineyard Troy	Massachusetts do do do	320 40 340 50	- - - 750	- - - -	All the Indians in this state reside on their respective reservations, at the places by which they are designated. The quantity of land occupied by them is not known, nor is there any information in this office by which it can be ascertained.
Narragansett Mohegan Stonington Groton	Rhode Island Connecticut do do	- 300 50 50	420 - - 400	3,000 4,000 300 -	No information as to their lands.
Senecas Tuscaroras Oneidas Onondagas Cayugas Stockbridge Brotherton St. Regis Indians	New York do do do do do do do	2,325 253 1,096 446 90 273 360 300	- - - - - - - 5,143	- - - - - 246,675 - -	These Indians own and possess together sixteen reservations of land, containing in the whole, according to the report of the agent, on file in this office, about the number of acres stated.
Nottaways Catawbas	Virginia S. Carolina	- -	47 450	27,000 144,000	

STATEMEN

Names of the tribes.	States or territories in which located.	Numbers of each tribe.	Number in each state or territory.	Number of acres claimed by each tribe.
Wyandotts	Ohio	542	-	163,840
Shawanees	do	800	-	117,615
Senecas	do	551	-	55,505
Delawares	do	80	-	5,760
Ottawas	do	377	-	50,581
			2,350	
Wyandotts	Michigan terr.	37	-	7,057,920
Pottawatamies	do	106	-	
Chippewas and Ottawas, the former by far the most numerous	do	18,473	-	
Menomeenees	do	3,900	-	
Winnebagoes	do	5,800	-	
			28,316	
Miami and Eel river Indians	Indiana	-	1,073	10,104,000
Menomeenees	Illinois	270	-	5,314,560
Kaskaskias	do	36	-	
Sauks and Foxes	do	6,400	-	
			6,706	
Pottawatamies and Chippewas	Indiana & Illin.	-	3,900	

Creeks	Georgia & Alabama	20,000	-	33,571,176
Cherokees	Georgia, Alabama and Tenn.	9,000	-	
Choctaws	Mississippi and Alabama	21,000	-	
Chickasaws	Mississippi	3,625	-	
65 Seminoles, and other remnants of tribes	Florida terr.	-	5,000	4,032,640
Biloxie	Louisiana	55	-	-
Apolashe	do	45	-	-
Pascagoula	do	111	-	-
Addees	do	27	-	-
Yaltasse	do	36	-	-
Coshattees	do	180	-	-
Caddow	do	450	-	-
Delawares	do	51	-	-
Choctaws	do	178	-	-
Shawanees	do	110	-	-
Natchitoches	do	25	-	-
Quapaws	do	8	-	-
Piankeshaws	do	27	-	-
			1,313	
Delawares	Missouri	1,800	-	21,120
Kickapoos	do	2,200	-	9,600
Shawanees	do	1,383	-	14,086
Weas	do	327	-	-

REMARKS.

The quantity of land claimed by these tribes is contained in several reservations, secured to them respectively, by treaty. Besides these, there are a number of other reservations secured separately to individual Indians, containing, together, 16,200 acres; making the whole quantity claimed in this state, 409,501 acres, according to information obtained from general land office.

These tribes reside, in some degree, promiscuously, and the number stated comprehends all those inhabiting the country north of Illinois, and between Lake Michigan and Mississippi rivers, as well as those residing in the peninsula formed by lakes Erie and Michigan, and the northern boundary of Indiana. The quantity of land mentioned is that claimed by the Indians in the peninsula only; but in what proportion by the respective tribes, cannot be ascertained.

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A part of these lands is claimed by the Pottawatamies and Chippewas, (who reside partly in this state and in Illinois) but in what proportion there are no means of ascertaining.

This is the whole quantity of land claimed by Indians in this state, including the Pottawatamies and Chippewas, but there are no means of distinguishing the quantity owned by each tribe. The number of Sauks and Foxes, embraces those on both sides of the Mississippi; there being no means of ascertaining the particular number of them in Illinois.

Claim lands in both states; quantity claimed by them separately from other tribes, not known.

The quantity of land here stated is the whole quantity claimed by all these tribes within the states mentioned; of which

The Creeks claim in Georgia,	4,243,760	
The Cherokees in do.	5,292,160	
		9,537,920
The Creeks and Cherokees, in Alabama,	5,995,200	
The Choctaws do.	781,440	
The Chickasaws do.	495,536	
		7,272,576
The Cherokees in Tennessee,		1,055,680
The Choctaws and Chickasaws, in Mississippi,		15,705,000

Quantity of land computed from the survey made by Col. Gadsden.

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These Indians are all hunters, and reside principally in Red River, in this state. There is no information as to the lands claimed by them. Their numbers are taken from the report of the agent, on file in this office.

Sold the lands they occupy under the treaty with them, of 5d Oct. 1818.

Sold their lands under treaties of 30th July and 30th Aug. 1819.

These Indians emigrated, a few years ago, from the east of the Mississippi to their present residence in this state.

Under the treaties of 1818 and 1820, the Weas sold out all their claim to lands in Indiana, Ohio, and Illinois, and emigrated to this state. There is no information as to the lands now owned or occupied by them.

STATEMEN

Names of the tribes.	States or territo- ries in which lo- cated.	Numbers of each tribe.	Number in each state or territory.	Number of acres claimed by each tribe.
Ihoways	Missouri	1,100	-	-
Osages	Missouri & Ar- kansas terr.	5,200	-	3,491,840
Piankeshaws	do	207	-	-
Cherokees	Arkansas terr.	6,000	-	4,000,000
Quapaws	do	700	-	-
Choctaws	do	-	-	8,858,560
			18,917	

RECAPIT

States and territories.	Whole number of Indians.	Whole quantity of land claimed.	
		ACRES.	
Maine -	956	92,260	{ The number of Indians em- the peninsula of Michig- ration. Some of the Indians claimi either cannot therefore be
Massachusetts -	750		
Rhode Island -	420	3,000	
Connecticut -	400	4,300	
New York -	5,143	246,675	
Virginia -	47	27,000	
S. Carolina -	450	144,000	
Ohio -	2,350	409,501	
Michigan terr. -	28,316	7,057,920	{ The Indians claiming lands saws; and it cannot there
Indiana -	11,579	10,104,000	
Illinois -		5,314,560	
Georgia -	53,625	9,537,920	
Alabama -		7,272,576	
Tennessee -		1,055,680	
Mississippi -	5,000	15,705,000	
Florida terr. -		4,032,640	
Louisiana -	1,313		{ The Osages and Piankeshav yond the limits of either; in either.
Missouri -	18,917	2,782,726	
Arkansas terr. -		13,612,560	
	129,266	77,402,318	

DEPARTMENT

REMARKS.

No information as to the lands claimed by these Indians.
 } The Osages reside partly in Missouri and in Arkansas, and the greater
 } portion west of both. Of the lands stated as claimed by them,
 } 2,737,920 acres are in the former, and 753,920 acres in the latter.
 No information as to their lands.
 } The Cherokees claim about this quantity of land in this territory, un-
 } der treaties of 1817 and 1819; the precise quantity not yet ascer-
 } tained.
 } These Indians have recently sold out all their claim, and are about to
 } remove beyond the limits of the territory.
 } Very few or none of this tribe reside in the territory; but they claim
 } in it the quantity of land stated under the treaty of 18th Oct. 1820.

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LATION.

REMARKS.

practices those in the country west of Lake Michigan, as well as those in
 an; the information being such as not to admit of a separate enume-
 ing lands in these states reside partly in both; the particular number in
 e stated.

in these states, do not all reside in any one of them, except the Chicka-
 fore be stated what is the particular number residing in each state.

ys are scattered in Missouri and Arkansas, and most of the former be-
 it cannot therefore be stated what is the particular number of Indians

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No. 4. Letter and Report from the secretary of war, to the hon. John Cocke, chairman of the committee on Indian affairs, accompanied by a bill for the preservation and civilization of the Indian tribes within the United States.

LETTER.

DEPARTMENT OF WAR,
February 3d, 1826.

SIR: The duty assigned me by your letter of —, enclosing “a bill for the preservation and civilization of the Indian tribes within the United States,” is one both delicate and important. I have discharged it to the best of my judgment, by preparing, and herewith sending you, the project of a bill for your consideration, and a report, in elucidation of its purposes. I seek shelter from what otherwise would be a painful responsibility, under the superior wisdom of those to whose judgment it is committed.

I have the honor to be,

Your obedient servant,

JAMES BARBOUR

Hon. JOHN COCKE,

Chairman of the committee on Indian affairs.

REPORT.

DEPARTMENT OF WAR,
February 3d, 1826.

Condition of
the Indians,
and their fu-
ture destiny.

The condition of the aborigines of this country, and their future destiny, have long engaged the attention of the philosopher and statesman, inspiring an interest correspondent to the high importance of the subject. The history of the past presents but little on which the recollection lingers with satisfaction. The future is not more cheering, unless resort be speedily had to other councils than those by which we have heretofore been governed. From the first discovery of America to the present time, one master passion, common to all mankind, that of acquiring land, has driven, in ceaseless succession, the white man on the Indian. The latter reluctantly yielding to a force he could not resist, has retired from the ocean to the mountains, and from the mountains to more inhospitable recesses, wasting away by sufferings, and by wars, foreign and intestine, till a wretched fragment only survives, of the numerous hordes once inhabiting this country, whose portion is to brood in grief over their past misfortunes, or to

look in despair on the approaching catastrophe of their impending doom.*

It were now an unprofitable task to inquire, on what principle the nations of Europe were justified in dispossessing the original proprietor of his birthright. They brought with them their own maxims, which recognized power as the only standard of right, and fraud and force as perfectly legitimate in the acquisition of territory. It has been done, and time has confirmed the act.

Principle on which Indians were dispossessed of their right.

In the contest for dominion, the milder qualities of justice and clemency were disregarded. But that contest has long since ceased, especially in the United States, where, on the one side, are seen a great people, familiar with arts and arms, whose energies are increased by union, and directed by an efficient government; on the other, a few ignorant and divided tribes of barbarians. It is necessary only for the former to express its will, to receive or enforce immediate submission from the latter. The suggestions of policy or necessity should no longer stifle the claims of justice and humanity. It is now, therefore, that a most solemn question addresses itself to the American people, and whose answer is full of responsibility. Shall we go on quietly in a course, which, judging from the past, threatens their extinction, while their past sufferings and future prospects, so pathetically appeal to our compassion? The responsibility to which I refer, is what a nation owes to itself, to its future character in all time to come. For, next to the means of self-defence, and the blessings of free government, stands, in point of importance, the character of a nation. Its distinguishing characteristics should be, justice and moderation. To spare the weak is its brightest ornament. It is, therefore, a source of the highest gratification, that an opportunity is now offered the United States to practice these maxims, and give an example of the triumph of liberal principles, over that sordid selfishness which has been the fruitful spring of human calamity.

Ascendency of the U. S. over the Indians.

Responsibility of the government, to pursue a just and humane policy.

It is the province of history to commit to its pages the transactions of nations. Posterity look to this depository with the most intense interest. The fair fame of their ancestors, a most precious inheritance, is to them equally a source of pride, and a motive of continued good actions. But she performs her province with impartiality. The authority she exercises in the absence of others, is a check on bad rule. The tyrant and the oppressor see, in the character of their prototypes, the sentence posterity is preparing for them. Which side of the picture shall we elect? for the decision is left to ourselves.

Impartiality of history.

* The whole number of Indians within the United States is estimated, in round numbers, at 300,000; of whom 120,000 reside in the states and territories.

Shall her record transmit the present race to future generations, as standing by, insensible to the progress of the desolation which threatens the remnant of this people; or shall these unfriendly characters give place to a generous effort which shall have been made to save them from destruction. While deliberating on this solemn question, I would appeal to that high Providence, whose delight is justice and mercy, and take council from the oracles of his will, revealed to man, in his terrible denunciations against the oppressor.

Review of the
past policy of
the govern-
ment and its
effects.

In reviewing the past, justice requires that the humane attempts of the Federal Government, coeval with its origin, should receive an honorable notice. That they have essentially failed, the sad experience of every day but too strongly testifies. If the original plan, conceived in the spirit of benevolence, had not been fated to encounter that as yet unabated desire, to bereave them of their lands, it would, perhaps, have realized much of the hopes of its friends. So long, however, as that desire continues to direct our councils, every attempt must fail. A cursory review is all that is necessary to show the incongruity of the measures we have pursued, and the cause of their failure.

Missionaries are sent among them to enlighten their minds, by imbuing them with religious impressions. Schools have been established by the aid of private, as well as public donations, for the instruction of their youths. They have been persuaded to abandon the chase—to locate themselves, and become cultivators of the soil—implements of husbandry, and domestic animals, have been presented them, and all these things have been done, accompanied with professions of a disinterested solicitude for their happiness. Yielding to these temptations, some of them have reclaimed the forest, planted their orchards, and erected houses, not only for their abode, but for the administration of justice, and for religious worship. And when they have so done, *you* send *your* agent to tell them they must surrender their country to the white man, and recommit themselves to some new desert, and substitute as the means of their subsistence the precarious chase for the certainty of cultivation. The love of our native land is implanted in every human bosom, whether he roams the wilderness, or is found in the highest state of civilization. This attachment increases with the comforts of our country, and is strongest when these comforts are the fruits of our own exertions. We have imparted this feeling to many of the tribes by our own measures. Can it be matter of surprise, that they hear, with unmixed indignation, of what seems to them our ruthless purpose of expelling them from their country, thus endeared? They see that our professions are insincere—that our promises have been broken; that the happiness of the In-

dian is a cheap sacrifice to the acquisition of new lands; and when attempted to be soothed by an assurance that the country to which we propose to send them is desirable, they emphatically ask us, what new pledges can you give us that we shall not again be exiled when it is your wish to possess these lands? It is easier to state than to answer this question. A regard to consistency, apart from every other consideration, requires a change of measures. Either let him retain and enjoy his home, or, if he is to be driven from it, abstain from cherishing illusions, we mean to disappoint, and thereby make him to feel more sensibly the extent of his loss.

Having pointed out the incongruities of this system, so unhappily organized, that it contains within itself the causes of its own abortion, I proceed to review the more modern plans of removing the different tribes from the east to the west of the Mississippi. That this plan originated in that benevolence for which its author is so distinguished, is cheerfully admitted; but that it too, is obnoxious to many objections, I fear, is no less true. The first objection is the impracticability of its execution, if that is to depend on treaties alone. Some of the tribes in whose removal we are most deeply concerned, have peremptorily refused to abandon their native land. Those who may be persuaded to emigrate, will carry with them the same internal feuds which are so destructive to their kind, and for which no remedy is proposed. Different tribes are to be placed in juxtaposition without a *controlling* power, between which, hereditary and implacable hostilities have raged, and which are not likely to be appeased, till the one or the other is exterminated. But these difficulties surmounted, in what relation are they to stand to the United States? The history of every age teaches us how difficult it has been to maintain tranquillity between conterminous and independent states—though civilized. How must that difficulty be increased, when one of the parties is savage? Thefts and murders, and numberless causes of discord, must inevitably precipitate collisions which cannot but prove fatal to the weaker party. And the same propensity which has conducted the white population to the remote regions they now occupy, will continue to propel the tide, till it is arrested only by the distant shores of the Pacific. Before this resistless current, the Indian must retire till his name will be no more. It would be, however, worse than useless to waste *your* time in multiplying objections to existing plans—I have therefore, supposing it to be within the duty assigned me by the committee, submitted the project of a bill, with such provisions as I think, under all the circumstances, are best calculated to effect the desired object.

Review of the modern plans of removing the Indians west of the Mississippi.

Project of a bill submitted.

In performing the service assigned by the committee, whose wishes alone would have been a sufficient inducement on my

Extinguishment of Indian titles, and difficulty of effecting it by treaties.

part to render a cheerful compliance, I have a further reason—a desire to comply with the requests of the people of the United States residing in the neighborhood of Indian settlements. The department is continually pressed with applications, from New York to Arkansas, to adopt measures to extinguish the Indian titles to their lands, and remove the Indians. An unavailing attempt to obtain a cession of their lands is sometimes ascribed by the disappointed to ignorance, or a want of zeal, or some worse motive on the part of agents employed—and new attempts to negotiate are solicited with unabated importunity. The obstinacy of the Indians, arising from their partial civilization, whose removal we most wish, fully equals the zeal of those who wish to procure their lands—and hence, an insuperable difficulty presents itself of effecting, by *treaties*, the object which is so desirable, of putting an end to this fruitful source of collision.

Plan not free from objections.

I am not arrogant enough to suppose that it is free from all objections. For I am aware that no plan, which human ingenuity could suggest, would be altogether exempt, as the subject is encompassed on every side with difficulties. The utmost reach of my hopes is limited to a diminution of these difficulties, both in number and extent. It is only by comparison I am satisfied that my scheme can solicit a preference. I submit the outlines of the bill, the principles of which are the following:

Outlines of the bill.

First. The country west of the Mississippi, and beyond the states and territories, and so much on the east of the Mississippi as lies west of lakes Huron and Michigan, is to be set apart for their exclusive abode.

Secondly. Their removal by individuals, in contradistinction to tribes.

Thirdly. A territorial government to be maintained by the United States.

Fourthly. If circumstances shall eventually justify it, the extinction of tribes, and their amalgamation into one mass, and a distribution of property among the individuals.

Fifthly. It leaves the condition of those that remain unaltered.

Remarks.

In offering a few remarks upon these different heads, I beg to call the attention of the committee to the leading principle of the bill, namely: That nothing is proposed to be done, in reference to the Indians, *without their own consent*. In making this a preliminary to our acting, I have been influenced rather by a desire to relieve the proposed plan from objections, than from any settled conviction of its necessity. The relations between the United States and the Indians, are so entirely peculiar, that it is extremely difficult to refer to any well settled principles by which to ascertain the extent of our au-

Consent of the Indians.

Authority of the government over them.

thority over them. Our ancestors, as well as every European nation that seized upon their country, denounced them as heathens, utterly out of the pale of civil society, and as a consequence, disposed of them according to their will and pleasure. From the adoption of the federal government, however, they were regarded, to some extent, as an independent people. Hence, treaties were made with them for a surrender of the usufruct of their lands. On the other hand, they were denied the exercise of this right as it respects other nations, and were even restrained from selling their lands to our own citizens. And beside regulating their trade, congress went so far as to punish, by the decisions of our own courts, for offences committed within or without their own territories. In forbearing to go further, it is left to conjecture, whether it arose from a want of authority, or the expediency of exercising it. To avoid, therefore, any difficulty which different opinions might produce on this point, their consent has been made necessary by the bill, as a requisite to its operation.

The first provision looks to the procurement of a country for future residence beyond the settlements of the whites. Fortunately, that object can be easily effected. In adopting the limits prescribed in the bill, I have pursued the plan heretofore proposed. In including the lands as a part lying between lakes Michigan and Huron, and the river Mississippi, I have been governed as well by the above consideration, as the fact that it is now in the occupancy of the Indians, and, from its natural features, is not desirable at present for the habitation of our citizens.

Country for the future residence of the Indians.

The principal recommendation of this plan, next to the advantages to be gained by ourselves, is, that the future residence of these people will be forever undisturbed—that there, at least, they will find a home and a resting place. And being exclusively under the control of the United States, and, consequently, free from the rival claims of any of the states, the former may plight its most solemn faith that it shall be theirs forever, and this guarantee is therefore given.

Undisturbed and permanent possession to be guaranteed to them by the U. S.

The second provision referred to is that of effecting their removal by portions less than whole tribes, when the latter is impracticable. Some of the tribes, in whose immediate removal we are particularly interested, have expressed a fixed determination against an exchange of their lands. This difficulty is said to arise from the influence of their chiefs, who have appropriated the most fertile lands to themselves, and have become wealthy. *Their* consent to remove cannot be obtained; but the majority, or large portions of the tribe who have no such inducement to remain, it is asserted by those who know, or pretend to know their wishes, may be persuaded to emigrate. By the proposed plan the fact can be ascertain-

Removal by parties less than tribes.

ed, and whatever portion may be willing to go, will, under this provision, be removed.

Territorial government for the Indians.

The third object of the bill is, the establishment of a territorial government by the United States for their protection and their civilization. The bill proposes a governor, three judges, and a secretary, to be appointed by the president, with the advice and consent of the senate, and such modifications in detail as the president shall ordain, subject to the approbation of congress.

Organization of the government to be left to the president.

I have already intimated, in a former part of this report, the consequences of sending the Indians to the country destined for their final abode, without some controlling authority. Without this, they will be exposed to endless mischiefs. It is not necessary to prescribe particularly in the bill their government. Its organization may safely be deposited in the hands of the president, subject to the control of congress. I will, nevertheless, suggest, that, as soon as the civilization of the Indians would admit of it, I would give them a legislative body, composed of Indians to be selected in the early stages by the president, and eventually to be elected by themselves, as well for the purpose of enacting such laws as would be agreeable to themselves, as for the purpose of exciting their ambition. Distinction being the object of universal pursuit with man, whether barbarous or civilized, it is presented to the Indians in this scheme. They will be taught, that there is another road to it than through blood and slaughter. The objection on the part of the most intelligent, to an amalgamation with the whites, is, that they can never rise to offices of trust and profit. Here this difficulty will be removed. In time, let us indulge the hope, that they will be competent to self government, when they may be left entirely to themselves, and when, in consequence, their ambition will find its proper theatre, and be gratified; then none will have any adequate motive to remain among the whites.

Division of lands.

A fourth object of the bill is, the division of their lands in such manner, and at such times, as the president may think proper. The object of this provision is, to give the power to the president, when, in his judgment, circumstances will justify it, to distribute the land among the individuals by metes and bounds, in contradistinction to its being held in common by a tribe. Nothing, it is believed, has had a more injurious influence on our efforts to improve the condition of the Indians, than holding their land in *common*. Whether such a system may succeed on a very limited scale, when under a beneficent patriarchal authority, is yet to be ascertained. Past experience has left the strongest evidence against its practicability under less favorable auspices. The attempt of that kind in the first settlement of Virginia, and, I believe, in the early

settlements elsewhere, conducted the colonists to the very brink of ruin, from which they were rescued only by abandoning it. The distribution of the soil, and the individuality imparted to the avails of its cultivation, history informs us, instantly gave a new and favorable aspect to their condition. How far the strong motives of human action may be modified by education and habit, may be left in the hands of the speculative philanthropists. The only safe rule for governments is, to act on human nature as it is, and conform its changes of policy to new, but well ascertained developments. If, therefore, the position be a just one, that every attempt at a community of property has eventuated unsuccessfully, even with civilized man, it is no matter of wonder that it should have been equally so with the savage. To the lands thus granted, add liberally all that is necessary to enable them effectually to succeed in their new condition—implements of husbandry, mechanics for repairing them, domestic animals, and supplies of food. By directing a part of the funds at present paid for annuities, judiciously, under proper agents, to be appointed by the United States, and as long as necessity required it, the Indians might be brought, by degrees, to a love of civilized life, and be reconciled to the performance of its duties. And although the difficulty of inducing him to labor, is duly appreciated, yet, when its benefits are once realized in the individuality of its productions, and by increasing his comforts, the hope can scarcely be deemed desperate which places him under the same influences as the white man. I refer to the document B,* as disclosing interesting information on this branch of the subject. The principle fixed, the time of its application to different tribes might be left to the discretion of the president, who, in its exercise, would conform to circumstances, commencing with those most convenient and most civilized, and cautiously extending its application till the whole be embraced. The money we annually expend on our Indian relations, and frequently not very profitably to them, from the manner of their appropriating it, would furnish an ample fund to meet any probable expense arising from the execution of this plan. By reference to document A,† it will be seen that this year we have had to pay for this object \$781,827 14.

*See this document following this report,

Expense of our Indian relations.

To those advantages may be added the consideration, that, after an individual distribution, the effort of the whites to dispossess them of their lands thus held, must cease. The individual appropriation of land gives a sanctity to the title which inspires respect in nations the most barbarous. It would repress, with us, any thought of disturbing it. When this is ef-

Advantages of a separate property in lands.

† See note in relation to this document, preceding document B, above referred to.

fects, their distinction of tribes may easily be abolished, and the whole consolidated into one great family. And lastly, the bill leaves those that remain to the wisdom and justice of posterity. If, as is believed, the number disposed to emigrate is comparatively great, those that remain will be so few that their condition may be regulated without committing violence on their wishes or their interests, and yet reconciling their residence with the prosperity of the whites. It is obvious, from causes that need not be enumerated, they must soon surrender their distinction of race for the resemblance of the white man, and accept, as an equivalent, the blessings which that resemblance cannot fail to bring with it—a peaceful but sure remedy, which may be safely left to time alone to produce.

End proposed,
the happiness
of the Indians.

I will add, that the end proposed is the happiness of the Indians—the instrument of its accomplishment—their progressive; and finally, their complete civilization. The obstacles to success are their ignorance, their prejudices, their repugnance to labor, their wandering propensities, and the uncertainty of the future. I would endeavor to overcome these by schools; by a distribution of land in individual right; by a permanent social establishment which should require the performance of social duties; by assigning them a country of which they are never to be bereaved, and cherishing them with parental kindness.

Good results
anticipated.

In looking to the possible results of this plan, I am cheered with the hope, that much good may be effected with comparatively little injury. Our difficulties in their present form, will be diminished, or entirely removed. The desire to acquire Indian lands will cease, and no longer produce collisions. The Indians will at last know their lot with certainty. That many will avail themselves of this arrangement so as to arrive at the blessings of civilization, I think there can be no reasonable doubt; that all will not, I readily admit. The imprudent of our own people are equally beyond the reach of legislative protection.

Consolation of
having fulfilled
our duty.

To this may be added the consolation furnished by the recollection, that, in the efforts we had made, we had acquitted ourselves of a debt of justice and humanity; and if they should even fail by the overruling influence of an inscrutable destiny, whose fulfilment requires their extinction, however it may fill us with sorrow, we shall be relieved from remorse.

Respectfully submitted.

JAMES BARBOUR.

[Document A, referred to in the foregoing report of the secretary of war, being a statement of disbursements in the Indian department, applicable only to the year 1825, under the different heads of appropriation, the amount of which (\$781,827 14) is given in the report,—it is deemed unnecessary to swell this volume by inserting it here.]

B.

DEPARTMENT OF WAR,
Office of Indian affairs, December 13, 1825.

Hon. JAMES BARBOUR,
Secretary of war.

SIR: I now proceed to report upon the remaining parts of your directions of the 3d October last, to wit: "The effects, as already developed, of the present system for civilizing the Indians, and its probable and ulterior consequences upon them as a race, viewed both in relation to their present situation and that which contemplates their future and permanent residence upon lands west of the Mississippi."

The effects of the present system for civilizing the Indians are, every where, within the limits of its operations, salutary. The reports from the schools all testify to its excellence. Its superiority over all other plans for their improvement, and its exact adaptation to the end for which it was devised, will appear by comparing it with other efforts heretofore made for the accomplishment of the same benevolent object, and by a more detailed exposition of the consequences which are flowing from those now making.

Favorable effects of the present system of civilization.

The wise and the good have never ceased, from the earliest periods of our intercourse with the aborigines of this country, to attempt, in one form or other, their rescue from barbarism, and to introduce among them the conveniences and the blessings of civilized life. But those kind designs were limited in their operations, and partial in their effects; so much so, indeed, as to confirm in many, and even in some who were reluctant to admit a conclusion involving such distressing consequences, the belief that the aborigines of America were incapable of receiving and of practising the lessons of civilization! But this problem has since been solved; and these failures are now known to have been occasioned by existing and long established habits, (and which are no less difficult to subdue, where they strike deep in the white man, than in the Indian,) to the game which every where abounded in their native forest; to the interminable war which avarice has waged against them, and to the defects in the plans which were resorted to for their enlightening and reformation. The most that was accomplished by the missionaries of those earlier and interesting periods, was to reform, comparatively, a few Indians, and control, in some degree, the savage ferocity of others; maintain and keep

Efforts to introduce among the Indians the arts of civilized life.

Causes of the
want of great-
er success.

alive the spirit of kindness towards them, and secure to themselves, as laborers in a cause so holy, an enviable immortality.

It is now easy to see at least some of the causes of their want of more abundant success. I will notice but one: that, however, next to the want of means and of teachers, is a principal one, and upon which all the rest, in a great degree, depended. Instead of instructing the Indians in a knowledge of the language of the country, and, by means of that mighty instrument, making avenues for their direct approach to, and intercourse with, the whites, and for their immediate acquaintance with the arts and conveniences of cultivated life, the missionaries adopted the plan of first learning the Indian language, and, by means of it, conveyed their instructions to them. They moreover confined themselves chiefly to lessons of morality and virtue. It is true, that, without the practice of these, no people, whether civilized or savage, can attain to the excellences of which our nature is capable, yet it is equally true, that the savage man must be instructed also in the arts and conveniences of cultivated life, and made to feel the superior benefits which are to be derived from an ownership in, and cultivation of, the soil, and from the social virtues, over the uncertain and isolated and homeless condition of the mere hunter state. It was reserved for later times, if not to discover, at least to practice, this more practical and certain method of civilizing the Indians: hence the present system, whilst it maintains the dignity and purity of moral and religious instruction, keeps also in constant operation the means which are now leading so many Indians to an acquaintance with the domestic arts, with mechanics and with agriculture. It has been by the union of these, aided, it is true, by the absence of game, that the present system for civilizing the Indians, has, in the course of a very few years, produced such a striking change in the habits and practices of several of the tribes, among whom it has been put in operation. Upwards of eleven hundred children, as has been shewn in my report of the 30th ultimo, are now having imparted to them, and successfully too, the blessings of civilized and christian life, whilst the older Indians, struck with its transforming effects, are themselves practising, to a very great extent, the lessons which they receive from their more fortunate offspring; and, in proof of their admiration of it, have, in many instances, contributed from their own scanty resources to its support. Several tribes have placed, at the disposal of the superintendents of the schools, under the direction of the general government, large annuities. The Choctaws have allotted twelve thousand dollars of their means, per annum, for nearly twenty years, towards the support of this system; and the Chickasaws have given one year's

annuity, amounting to upwards of thirty thousand dollars, as a fund for the same object.

The Cherokees on this side the Mississippi are in advance of all other tribes. They may be considered as a civilized people. Their march has been rapid. Less than thirty years ago they were so insensible to the conveniences of roads, as to have grown jealous of the missionary who had entitled himself to their confidence, and justly too, for recommending them to open a wagon road from one of their villages, for the advantage of an easier intercourse with another. Something, it is true, had been accomplished in the instruction of a few Cherokees in letters, and in the domestic arts, by the aged and venerable Moravian missionary, who yet resides in the Cherokee nation; but the *first* school established there, under the present system, was in 1817. I cannot better illustrate the results of this system, than, by introducing, here, a statement of the present condition of the Cherokees, from the pen of a young man, a *native Cherokee*, who is indebted to this system for his improvement, and who was, eight years ago, as he told me himself "*a savage*," without any knowledge of our language, or the principles of that sublime religion, to the cause of which he has devoted himself for the benefit of his countrymen. I shall not only be excused, but justified, I am sure, in introducing the following extracts from his letter, addressed to the editor of the *Family Visitor*, at Richmond, in September last. It is truth we are in quest of, and facts are the best instruments for its developement. Theory, and all previously conceived opinions, which are adverse to Indian capacity and Indian improvement, must give way to the stubborn demonstrations of such facts as David Brown discloses, even if there were no others; but there are many such.

"Willstown, (Cherokee Nation,) Sept. 2d, 1825.

"In my last letter, from Creek Path to you, I stated that there was some probability of my returning to Arkansas, &c. &c. and referred to the improved condition of the Cherokees, on this side of the Mississippi, in a moral, intellectual, and religious point of view, &c.—to the slow progress I make in translating the New Testament, in consequence of the non-existence of a dictionary, or complete grammar, in Cherokee—and to the philological researches of one in the nation, whose system of education had met with universal approbation, &c.

Extracts from
David
Brown's letter.

"Allow me, dear sir, now the pleasure to fulfil the promise I made you, that I would pick up and send you what I had

Extracts, &c

omitted. Recently I have been travelling a good deal in the nation, in order to regain my impaired health. My heavenly Sovereign permitting, I expect to return to Arkansas in the month of October next. I have made a hasty translation of the four Gospels, which will require a close criticism. On my arrival at Dwight, I shall pursue the delightful work, and I hope the day is not far distant, when the Cherokees, my brethren and kindred, according to the flesh, shall read the words of eternal life, in their own tongue. I will here give you a faint picture of the Cherokee nation and its inhabitants. In the mean time, however, it must be borne in mind, that it is the mass and common people, that form the character of a nation, and not officers of government, nor the lowest grade of peasantry.

The Cherokee nation, you know, is in about 35 degrees north latitude; bounded on the north and west by the state of Tennessee; on the south by Alabama, and on the east by Georgia and N. Carolina. This country is well watered; abundant springs of pure water are found in every part. A range of majestic and lofty mountains stretch themselves across the nation. The northern part of the nation is hilly and mountainous. In the southern and western parts, there are extensive and fertile plains, covered partly with tall trees, through which beautiful streams of water glide. These plains furnish immense pasturage, and numberless herds of cattle are dispersed over them. Horses are plenty, and are used for servile purposes. Numerous flocks of sheep, goats, and swine, cover the valleys and hills. On Tennessee, Usatanala and Canasagi rivers, Cherokee commerce floats. The climate is delicious and healthy; the winters are mild. The spring clothes the ground with its richest scenery. Cherokee flowers, of exquisite beauty and variegated hues, meet and fascinate the eye in every direction. In the plains and valleys, the soil is generally rich; producing Indian corn, cotton, tobacco, wheat, oats, indigo, sweet and Irish potatoes. The natives carry on considerable trade with the adjoining states; and some of them export cotton in boats, down the Tennessee, to the Mississippi, and down that river to New-Orleans. Apple and peach orchards are quite common; and gardens are cultivated, and much attention paid to them. Butter and Cheese are seen on Cherokee tables. There are many public roads in the nation, and houses of entertainment kept by natives. Numerous and flourishing villages are seen in every section of the country. Cotton and woollen cloths are manufactured here. Blankets, of various dimensions, manufactured by Cherokee hands, are very common. Almost every family in the nation grows cotton for its own consumption. Industry and commercial enterprise

“are extending themselves in every part. Nearly all the
 “merchants in the nation are native Cherokee. Agricultural
 “pursuits, (the most solid foundation of our national prosperi-
 “ty,) engage the chief attention of the people. Different
 “branches in mechanics are pursued.—The population is rapid-
 “ly increasing. In the year 1819, an estimate was made of
 “all the Cherokees. Those on the west, were estimated at
 “5,000, and those on the east of Mississippi, at 10,000 souls.
 “The census of this division of the Cherokees has again been
 “taken within the current year, and the returns are thus
 “made—native citizens, 13,563; white men married in the
 “nation, 147; white women do. do. 73; African slaves,
 “1,277. If this summary of Cherokee population from the
 “census, is correct, to say nothing of those of foreign ex-
 “tract, we find that, in six years, the increase has been 3,563
 “souls. If we judge the future by the past, to what number
 “will the Cherokee population swell in 1856?

“White men in the nation enjoy all the immunities and
 “privileges of the Cherokee people, except that they are not
 “eligible to public offices. In the above computation of the
 “present year, you perceive that there are some African slaves
 “among us. They have been from time to time, brought in
 “and sold by white men: they are, however, generally well
 “treated, and they much prefer living in the nation, to a resi-
 “dence in the United States. There is hardly any intermix-
 “ture of Cherokee and African blood. The presumption is,
 “that the Cherokees will, at no distant day, co-operate with
 “the humane efforts of those who are liberating and sending
 “this proscribed race to the land of their fathers. National
 “pride, patriotism, and a spirit of independence, mark the
 “Cherokee character.

“The christian religion is the religion of the nation. Pres-
 “byterians, Methodists, Baptists, and Moravians, are the most
 “numerous sects. Some of the most influential characters are
 “members of the church, and live consistently with their pro-
 “fessions. The whole nation is penetrated with gratitude for
 “the aid it has received from the United States’ government,
 “and from different religious societies. Schools are increas-
 “ing every year; learning is encouraged and rewarded.—The
 “young class acquire the English, and those of mature age,
 “the Cherokee system of learning. The female character is
 “elevated and duly respected. Indolence is discountenanced.
 “Our native language, in its philosophy, genius, and sympho-
 “ny, is inferior to few, if any, in the world. Our relations
 “with all nations, savage or civilized, are of the most friendly
 “character. We are out of debt, and our public revenue is in
 “a flourishing condition. Besides the amount arising from
 “imposts, a perpetual annuity is due from the United States,

Extracts, &c. "in consideration of lands ceded in former periods. Our system of government, founded on republican principles, by which justice is equally distributed, secures the respect of the people. Newtown, pleasantly situated in the centre of the nation, and at the junction of Canasagi and Gusuwati, two beautiful streams, is the seat of government. The legislative power is vested in what is denominated, in native dialect, *Tsalagi Tinilawigi*, consisting of a national committee and council. Members of both branches are chosen by and from the people, for a limited period. In Newtown, a printing press is soon to be established, also a national library and a museum. Immense concourse of people frequent the seat of government, when *Tsalagi Tinilawigi* is in session, which takes place once a year."

Cherokee alphabet, by Guess, a native.

The success which has attended the philological researches of "one in the nation," and whose system of education has met, among the Cherokees, with universal approbation, certainly entitles him to great consideration, and to rank with the benefactors of man. His name is Guess, and he is a native and unlettered Cherokee. Like *Cadmus*, he has given to his people the alphabet of their language. It is composed of eighty-six characters, by which, in a few days, the older Indians, who had despaired of deriving an education by means of the schools, and who are not included in the existing school system as participators of its benefits, may *read and correspond!* I have the honor to accompany herewith, in paper marked C, this alphabet, together with an example in the word "*friend*," and also, the sound of each character, numbered from 1 to 86.

Probable consequences of the present state of the Indians.

The probable and ulterior consequences, upon the Indians, *as a race*, of the system for their civilization, whether viewed in relation to their present situation, or that which contemplates their future and permanent residence upon lands west of the Mississippi, will partake, it is reasonable to presume, more or less, and according as circumstances may be favorable or otherwise, of those which have already been developed. This is the necessary conclusion, if any regard be had to the effects which have already been produced. But the system to be *universally operative*, and speedy in accomplishing the objects designed by it, should be so enlarged as to embrace the entire body of Indian children to whose tribes it may be extended. Without this, they will have to contend with opposing influences, and their progress will be less rapid. The examples of those not embraced by it, will be necessarily felt. It is in the nature of man to imitate, and it being easier to imitate bad habits than good, the former will predominate, and especially among a people where the checks arising out of public

opinion, and which apply to social and moral actions, are less regarded than are those which demand the exercise of self-denial and the sterner virtues. Whether, therefore, the Indians maintain their present location or emigrate west of the Mississippi, and there settle under some congenial and paternal government, as was proposed by our late venerable chief magistrate, it cannot be otherwise, if the present system for their civilization be sustained, but that they will continue to derive from it, effects similar to those which have been disclosed. It is, however, in my opinion, very certain, that, should they retain their present location, they will, in the course of a few years, *be lost as a race*. The very improvement which is now making; the refinements which it creates, and the conceptions which it inspires, cannot, whilst they retain their present relation to us, but produce in them feelings of deep humiliation. It is true the Cherokees have a government of their own; and they aspire, among themselves, to places of honor and trust. But the more enlightened of them feel that these honors, when attained, suffer in the comparison with those which are bestowed in the states; or however gratifying their attainment may be, that they are never free from the terrible apprehensions which arise out of the uncertainty of their continuing where they are. Indeed, those of them who have thought most upon this subject, and who feel, with the return of every year, the swell of the same ocean, that has swept off so many of their tribes, breaking at their feet, have no objection to pass, at once, under the laws of the states, and into permanent repose, except that which arises out of their apprehension that a portion of their people are *not yet prepared for it*. But this portion are receiving, in their turn, the enlightening influences of the system of education, and a little time only will be required, so far at least as it regards the Cherokees, to destroy this fear, when the whole tribe will, no doubt, seek to place themselves under the laws of the states, and, by that act, prepare the process for their extinction *as a race*. The same may be said of the other tribes as they shall, in succession, advance to the same state of improvement. But a different result may be anticipated in regard to the question of their extinction or preservation as a race, were the entire Indian population, now within the limits of our states and territories, (and which does not exceed one hundred and thirty thousand,) collected and placed under the kind of government which has been referred to, and upon lands west of the Mississippi. They would be thus embodied, as *a separate people*. The humiliating feelings arising out of their present relation to the whites, and to our government, would be changed and elevated by the connexion which would be formed between them; and they would be secured, as well by their separate state as by the power of

the government under which they would live, and of which they would form part, from all further encroachments and insults, and freed from the apprehension which is so paralyzing to them, of any future removal. Under such circumstances, it is reasonable to suppose that they would give full scope to those feelings which characterize them *as a people*, and which lead them to struggle so for their preservation *as a race*. To this day the fragments of tribes within the states, in the north and east, cling to the exterior characteristics, in their leggins and belts of wampum, thus demonstrating their devotion to their race. They are not ashamed of their origin nor of their complexion. They glory in both. Remove the existing causes that operate to humiliate them in their own eyes and to depress their energies; give them, under our laws, an assurance of protection in that western home, and a share in the government, and of the public honors; make them, in a word, *part of ourselves*; and their improvement, in such a state, under the existing system for their civilization, so far from producing their extinction, as a people, would tend to their *preservation* as a race.

Question of
policy.

The question of policy as to which of those measures would conduce most to the public welfare and the happiness and prosperity of the Indians, and which now presents itself, is left for discussion to those who are more competent to it. But the age, I may be permitted to add, in which it is our happiness to live, has, by its enlightening and humanizing influences, decided that *mercy* shall rule, and liberality and kindness minister to these unfortunate people, in whatever relation it may be determined they are to stand to us.

I have the honor to be,

With great respect,

Your obedient servant,

THO. L. McKENNEY

C.

RDWEG I W P N O Y B
 P M S A C & W B U A
 W H G I A J V T F G N O
 U H L O C R H S A H U E
 O T O P B E T K W A E
 O G V A G S G I O U E
 S O P F H G D G H L G D
 S O I E

Cherokee al-
 phabet, by
 Guess, a na-
 tive; referred
 to in the pre-
 ceding docu-
 ment, B.

- | | | |
|---------------------|---------------------|------------------|
| 1. A short. | 30. Tsoo. | 59. Naa. |
| 2. A broad. | 31. Maugh. | 60. Loh. |
| 3. Lah. | 32. Seh. | 61. Yu. |
| 4. Tsee. | 33. Saugh. | 62. Tseh. |
| 5. Nah. | 34. Cleegh. | 63. Tee. |
| 6. Weeh. | 35. Queegh. | 64. Wahn. |
| 7. Weh. | 36. Quegh. | 65. Tooh. |
| 8. Leeh. | 37. Sah. | 66. Teh. |
| 9. Neh. | 38. Quah. | 67. Tsah. |
| 10. Mooh. | 39. Gnaugh (nasal.) | 68. Un (French.) |
| 11. Keeh. | 40. Kaah. | 69. Neh. |
| 12. Yeeh. | 41. Tsahn. | 70. —. |
| 13. Seeh. | 42. Sahn. | 71. Tsooh. |
| 14. Clanh. | 43. Neeh. | 72. Mah. |
| 15. Ah. | 44. Kah. | 73. Clooh. |
| 16. Luh. | 45. Taugh. | 74. Haah. |
| 17. Leh. | 46. Keh. | 75. Hah. |
| 18. Hah. | 47. Taah. | 76. Meeh. |
| 19. Woh. | 48. Kahn. | 77. Clah. |
| 20. Cloh. | 49. Weeh. | 78. Yah. |
| 21. Tah. | 50. Eeh. | 79. Wah. |
| 22. Yahn. | 51. Ooh. | 80. Teeh. |
| 23. Lanh. | 52. Yeh. | 81. Clegh. |
| 24. Hee. | 53. Un (French.) | 82. Naa. |
| 25. Ss (sibrilant.) | 54. Tun. | 83. Quh. |
| 26. Yoh. | 55. Kooh. | 84. Clah. |
| 27. Un (French.) | 56. Tsoh. | 85. Maah. |
| 28. Hoo. | 57. Quooh. | 86. Quhn. |
| 29. Goh. | 58. Noo. | |

The following characters, when put together, spell "*Friend*" Example.

—Y Q S T and are sounded thus—*Keeh-naa-leh-eeh*.

"*Keeh*" is sounded short; "*naa*," broad; "*leh*," short; and
 "*eeh*," short.

No. 5. Regulations for the civilization of the Indians.

[CIRCULAR.]

DEPARTMENT OF WAR,

3d September, 1819.

SIR,

Annual fund
for civilization
of Indians, to
be applied in
co-operation
with benevo-
lent societies.

Conditions on
which the ap-
plication will
be made.

President to
decide on
claims, and
distribute the
fund.

Government
will aid, &c.

In order to render the sum of ten thousand dollars, annually appropriated at the last session of congress for the civilization of the Indians,* as extensively beneficial as possible, the president is of opinion, that it ought to be applied in co-operation with the exertions of benevolent associations, or individuals, who may choose to devote their time or means to effect the object contemplated by the act of congress. But it will be indispensable, in order to apply any portion of the sum appropriated in the manner proposed, that the plan of education, in addition to reading, writing, and arithmetic, should, in the instruction of the boys, extend to the practical knowledge of the mode of agriculture, and of such of the mechanic arts as are suited to the condition of the Indians; and in that of the girls, to spinning, weaving, and sewing. It is also indispensable that the establishment should be fixed within the limits of those Indian nations who border on our settlements. Such associations, or individuals, who are already actually engaged in educating the Indians, and who may desire the co-operation of the government, will report to the department of war, to be laid before the president; the location of the institutions under their superintendence; their funds; the number and kind of teachers; the number of youths of both sexes; the objects which are actually embraced in their plan of education; and the extent of the aid which they require; and such institutions as are formed, but have not gone into actual operation, will report the extent of their funds; the places at which they intend to make their establishments; the whole number of youths, of both sexes, which they intend to educate; the number and kind of teachers to be employed; the plan of education adopted; and the extent of the aid required.

This information will be necessary to enable the president to determine whether the appropriation of congress ought to be applied in co-operation with the institutions which may request it, and to make a just distribution of the sum appropriated.

In proportion to the means of the government, co-operation will be extended to such institutions as may be approved, as

* See the act making the appropriation; ante, chap. 55, page 397.

well in erecting necessary buildings, as in their current expenses.

I have the honour to be,

Your most obedient servant,

(Signed)

J. C. CALHOUN.

To

ADDITIONAL REGULATIONS.

DEPARTMENT OF WAR,

February 29, 1820.

The following regulations, in addition to those prescribed in the circular of the 3d September, 1819,* have been adopted, with the approbation of the president of the United States, to govern the future distribution of the sum appropriated by congress for the civilization of the Indians, among individuals, or societies, who have established, or contemplate establishing, schools, for the education of Indian children, in conformity to the above-mentioned circular, and who desire the co-operation of the government.

*The preceding circular.

The position selected for the establishment, a plan of the buildings contemplated, with an estimate of the costs, to be submitted to the secretary of war, to be laid before the president.

Position, plan, and cost of buildings to be reported.

Government will, if it has the means, and approves of the arrangement, pay two-thirds of the expense of erecting the necessary buildings. No part of the money to be advanced until after the buildings are commenced; and one-fourth to be reserved until they are completed. The payment to be made on the certificate of the agent of Indian affairs, for the tribe or nation in which the establishment is located, as to the facts of the commencement and completion of the buildings.

Aid to be given by the government for buildings, and terms of payment.

The president of the United States will contribute, out of the annual appropriation, to such institution which may be approved of by him, a sum proportionate to the number of pupils belonging to each, regard being had to the necessary expense of the establishment, and the degree of success which has attended it.

Aid also to be given according to number of pupils.

No advance to be made, except for the buildings, till the school is in actual operation; of which fact, and the number of pupils belonging to it, the certificate of the superintendent, or person having the principal control of the institution, will be sufficient evidence.

Payments how to be made.

A report will be annually made for each establishment, on the 1st of October, of the number and names of the teachers, and other persons belonging to it. The number of students;

Annual reports required.

the number which have completed their course, and left the institution, since the first day of October, of the preceding year; the number entered; the amount of disbursements, for the same period, and the value and description of property on hand; which report will be certified by the superintendent or person having the principal control of the establishment.

Duties of persons employed at institutions.

It is considered to be the duty of all persons who may be employed, or attached to any institution, not only to set a good example of sobriety, industry, and honesty, but as far as practicable, to impress on the minds of the Indians, the friendly and benevolent views of the government towards them, and the advantage to them in yielding to the policy of the government, and co-operating with it, in such measures as it may deem necessary for their civilization and happiness. A contrary course of conduct cannot fail to incur the displeasure of the government, as it is impossible that the object which it has in view can be effected, and peace be habitually preserved, if the distrust of the Indians, as to its benevolent views, should be excited.

I have, &c. &c.

(Signed)

J. C. CALHOUN.

No. 6. Documents relating to the treaty with the Cherokee nation, of the 24th October, 1804, and which was not ratified until 17th May, 1824.

WAR DEPARTMENT,

April 29th, 1824.

SIR:

Letter of the secretary of war to the president of the U. S.

The delegation of Cherokees now in Washington, called the attention of the government, by their letter of the 19th January last, to a treaty which they alleged had been concluded by commissioners on the part of the United States, and their nation, on the 24th October, 1804. It was ascertained, after diligent search, that no such treaty was to be found in this department; and no evidence whatever could be obtained in confirmation of the existence of such a treaty. This being communicated to the delegation, they presented a duplicate of the treaty, together with other papers relating to it. With a view to ascertain, as far as it was practicable, the cause which had operated to prevent the ratification of this treaty, I addressed a letter to the Secretary of the Senate, and to col. McKee of the House of Representatives, one of the subscribing witnesses to the treaty, whose replies are herewith submitted;

and lastly, the subject was referred to Mr. Jefferson, whose answer is enclosed.

There can be no doubt of the genuineness of the treaty, nor that its non-ratification by the Senate, at the time, was owing to some accidental circumstance. The delegation having furnished their duplicate of the treaty accompanied by a request that it be laid before the Senate for its ratification, I have the honor herewith to enclose it, together with all the documents connected with it.

I have the honor to be,
Sir, very respectfully,
Your most obed't servant,
J. C. CALHOUN.

To the PRESIDENT OF THE UNITED STATES.

OFFICE OF SEC'Y OF SENATE,
April 13th, 1824.

To THE HON. SEC'Y OF WAR.

SIR: In answer to your letter of yesterday, respecting a treaty with the Cherokee Indians, I have to state that I have caused the executive journals to be examined, and find that no treaty with the Cherokees, of the date of Oct. 24th, 1804, has ever been submitted to the Senate. A treaty answering to that mentioned in your letter, in every respect, excepting the date, which is Oct. 25th, 1805, was ratified by the Senate in Dec. 1805.

Letter from
Mr. Cutts,
secretary of
the senate.

With great respect,
Your obed't serv't,
CHARLES CUTTS.

HOUSE OF REPRESENTATIVES,
April 15. 1824.

SIR:

The enclosed treaty concluded with the Cherokees on the 24th Oct. 1804, has been transmitted to me, with a request, that I would make such remarks as I may think proper, embracing its genuineness, and the reasons, if I know any, why it was never ratified by the Senate. I can state, confidently, as well from an intimate knowledge of the hand-writing of many of the signers to this instrument, as from a perfect recollection of the negotiating and signing the treaty, that it is genuine.

Letter from
col. McKee.

I have never heard any reason assigned why it has not been ratified.

I have the honor to be, very respectfully,
Sir, your obedient servant,

JOHN McKEE.

The HON. J. C. CALHOUN,
Secretary of War.

MONTICELLO, *April 25, 1824.*

SIR :

Letter from
Mr. Jefferson.

I duly received your letter of the 19th inst. with the documents it covered, relative to the treaty of Oct. 24, 1804, with the Cherokees for the purchase of lands. Recurring to memory, alone, I can affirm that the treaty inclosed to me, and now returned, is genuine. It is well remembered, because no case of intruders ever occurred which excited more anxiety or commiseration with us, than that of Wafford's settlement, which it covered. On the complaint of the Cherokees, we endeavored to purchase the lands from them, but, on their refusal, we assured them the intruders should be removed, and orders were accordingly given; but the officers to whom they were given, interceded with the Indians to let the settlers remain until they had gathered their crops; and this indulgence was, I believe, repeated, until at length they agreed to sell the lands. Recurring to my papers, I find the following passage in a letter to General Dearborn, of April 8, 1804, written from this place, where I was on a short visit at the time: 'I think, before I left Washington, we had decided to take immediate measures for endeavoring to purchase of the Cherokees all their lands in Tennessee, or such, the most interesting to that state, as they would be willing to sell; and to name Meigs and Daniel Smith commissioners.' To this Gen. Dearborn answered by the letter of April 14, which I now inclose you, informing me that Smith and Meigs had accordingly been authorized to hold the treaty. This is the last trace of the transaction which I find in my papers. I have for 40 years back kept a list of every letter or communication I wrote or received. A diligent examination of this list assures me that I never received this treaty. I have preserved press or polygraph copies of every message I ever sent to either house of Congress. A like examination of these, proves I never laid this treaty before the Senate. Yet that the treaty was entered into, is proved by the duplicate copy produced by the Indians, equally authentic with our own, by its actual execution, by the delivery of the lands on their part, and of the

price in goods on ours, and by the testimony of Mr. McKee and others. How has it happened that this has been done without ratification by the Senate? I do not know. Two conjectures occur. Either the treaty may have been lost by the way, or, if received by the war-office, it may have been mislaid there accidentally, and escaped subsequent recollection. In this case, it may still be in some unsuspected bundle; where nobody will ever think of looking for it. The execution of the treaty having taken place immediately, and on the spot where it was signed, nothing occurred here to recall our attention to it afterwards, and in the mass of other business engrossing the mind, we have overlooked this, and a failure of duty has been incurred by a lapse of memory. I take to myself my share in this omission, and can only say in excuse, '*homo sum.*' The treaty had all my approbation. It is some consolation; that the blot may yet be covered, if all parties are agreed. The Indians will doubtless consent, that their duplicate shall be laid before the Senate, which being equally an original with that which should have been laid before their predecessors, can receive their ratification, *nunc pro tunc*. This will sanction all that has been done on the principle that the confirmation of a proceeding supplies preceding defects. In this way may be repaired a slip of the executive functionaries, unwittingly committed, and full justice be done to the other party.

With my regrets that an involuntary failure of recollection in myself, among the other officers of the government participating in it, should have produced the present embarrassment, be pleased to accept the assurance of my high respect and consideration.

TH: JEFFERSON.

Hon. J. C. CALHOUN, *sec'y of war*.

Extract from the letter of Gen. Dearborn, of the 14th April, 1804, referred to in the preceding letter of Mr. Jefferson.

"Gen. Daniel Smith with Col. Meigs, have been appointed for holding a conference or treaty with the Cherokees in conformity to your directions, and they are to hold the treaty at such times and places as will, in their opinion, be most expedient."

No. 7. ABSTRACT of Indian Treaties, whereby the United States has acquired territory in Indiana, Illinois, Missouri, Mississippi, and Alabama

Tribes of Indians.	Date of treaty, and where concluded.	State and territory wherein the ceded lands are situated.
Wyandot, Delaware, Shawanee, Ottawa, Chippewa, Pottawatima, Miami, Eel River-Miami, Kickapoo, Piankeshaw, and Kaskaskia	3d August, 1795, Greenville (ante, page 49)	Ohio Indiana
Delaware, Shawanee, Pottawatima, Eel River, Wea, Kickapoo, Piankeshaw, and Kaskaskia	7th June, 1803, fort Wayne (ante, p. 57)	Indiana Illinois
Kaskaskia	13th August, 1803, Vincennes (ante, p. 222)	Illinois
Delaware	Aug. 18, 1804, Vincennes (ante, p. 4)	Indiana
Wyandot, Ottawa, Chippewa, Munsee, Delaware, Shawanee, and Pottawatima	4th July, 1805, fort Industry (ante, p. 60)	Ohio
Delaware, Pottawatima, Miami, Eel River, and Wea	21st August, 1805, Grouseland, near Vincennes (ante, page 63)	Indiana
Piankeshaw	Sept. 1800, Vincennes (ante, p. 226)	Illinois
Ottawa, Chippewa, Wyandot, and Pottawatima,	17th Nov. 1807, Detroit (ante, p. 66)	Ohio Michigan
Chippewa, Ottawa, Wyandot, Pottawatima, and Shawanee,	25th Nov. 1808, Brownstown (ante, p. 69)	
Delaware, Pottawatima, Miami, and Eel River	30th Sept. 1809, fort Wayne (ante p. 71)	Indiana
	Total quantity ceded by the 1st article of the treaty..... Quantity ceded by the 9th article.....	Also in Indiana, being that tract designated as lying east of the 2d principal meridian (in Illinois)
Kickapoo	9th Dec. 1809, Vincennes (ante, p. 262)	Indiana Illinois
Sac and Fox tribes	3d Nov. 1804, St. Louis (ante, p. 230)	Situate principally in Illinois, and partly in Missouri

ed States acquired the title to Lands in the states of Ohio,
, and in the territories of Michigan and Arkansas.

Estimated contents of the cession, in acres.	REMARKS.
16,930,417 794,072	Of this quantity, 1,726,000 acres lie within the limits of the Connecticut Western Reserve.
17,724,489	
1,297,920 336,128	Ratified by the Eel Rivers, Wyandots, Kaskaskias, and Kickapoos, at the council held at Vincennes, 7th August, 1803.
1,634,048	
8,608,167	Of this quantity, 2,101,760 acres lie within the limits of the Kickapoo cession, at Edwardsville 30th July, 1819.
1,910,717	
2,726,812	This land was also ceded by the Piankeshaws, at Vincennes, 27th August, 1804. Of this quantity, there are in the Connecticut Western Reserve, Fire lands,
1,244,211	
	1,041,910 500,000 1,541,910

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2,616,921	
345,600	
5,592,160	
5,937,760	
	Ceding certain lands in Ohio, for the purpose of making a road.
2,136,266	Confirmed by the Wea nation, at the convention held at Vincennes, on 26th Oct. 1809.
549,120	The cession under the 9th article of this treaty, was confirmed by the Kickapoos, at the treaty of Vincennes, 9th Dec. 1809.
2,685,386	
282,547	
2,967,933	
54,464	
58,880	
113,344	
14,000,000	Of this quantity, 5,000,000 acres, situate north of a due west line from the southern extremity of lake Michigan to the Mississippi, were relinquished by the U. S. under the treaty of St. Louis, 24th Aug, 1816, with the United tribes of Ottawas, Chippewas, and Pottawatimas, who still claim the country north of the line designated—(See next article.)

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ABSTRACT OF INDIAN

Tribes of Indians.	Date of treaty, and where concluded.	State and territory wherein the ceded lands are situated.
United tribes of Ottawas, Chipewas, Pottawatimas, residing on the Illinois and Welwakee rivers, and their waters, and on the south-western parts of lake Michigan	24th August, 1816, St. Louis (ante, p. 83)	Illinois Missouri In Illinois, between lake Michigan and Fox rivers North of the state of Illinois
Wyandot, Seneca, Shawanee, Ottawa, Delaware, Pottawatima, and Chippewa	29th Sept. 1817, foot of the Rapids of the Miami of lake Erie (ante, p. 85)	Ohio Indiana Michigan
Wea	2d Oct. 1818, St. Mary's, Ohio (ante, p. 260)	Ohio Indiana Illinois
Peoria, Kaskaskia, Michigamia, Cahokia, and Tamarois	26th Sept. 1818, Edwardsville (ante, p. 103)	Illinois
<i>Pottawatima</i>	<i>St. Mary's, Ohio (ante, p. 274)</i>	<i>Indiana Illinois</i>
Delaware	3d Oct. 1818, St. Mary's, Ohio (ante, p. 6)	Indiana
Miami	6th Oct. 1818, St. Mary's, Ohio (ante, p. 312)	Indiana Ohio
Wyandot	20th Sept. 1818, St. Mary's, Ohio (ante, p. 311)	Michigan
Wyandot, Seneca, Shawanee, and Ottawa, supplementary to their treaty of Sept. 29, 1817.	17th Sept. 1818, St. Mary's, Ohio (ante, p. 100)	
Great and Little Osage	10th Nov. 1808, fort Clark (ante, p. 243)	Missouri Arkansas
Great and Little Osage	25th Sept. 1818, St. Louis (ante, p. 250)	Arkansas, & western thereof
Quapaw	24th Aug. 1818, St. Louis (ante, p. 305)	Arkansas, & western thereof Louisiana

TREATIES—CONTINUED.

Estimated contents of the cession, in acres.	REMARKS.
6,004,000 2,996,000	Previously ceded by the Sacs and Foxes at St. Louis, 3d November, 1804, (as above.)
9,000,000 767,411	Additional cession.
144,000	Reservation by the U. S. of five leagues square, near Ouisconsin river.
9,911,411	Aggregate of the cession.
4,554,459 192,512 30,000	
4,776,971	Aggregate of the cession.
-	No boundaries are defined for the land ceded under this treaty. It embraces all the lands owned by them in these three states, with the exception of a reservation of 30,000 acres, at the mouth of Racoon creek, in Indiana.
-	The quantity here stated, is clear of interference with lands ceded under any previous treaty. This cession includes the lands ceded by the treaty at Vincennes with the Kaskaskias, 13th Aug. 1803. The quantity of land ceded by both these treaties, is estimated at 15,746,565 acres.
7,138,398	
738,572 141,043	* This quantity is included in the Kickapoo cession, under the treaty of fort Harrison, 3d August, 1819.
899,615	
-	Cede to the United States all their claim to land in Indiana. The United States provide for them a country west of the Mississippi.
6,789,831 297,600	
7,087,431	
5,000	Two tracts of land reserved for the use of the Wyandot tribe, by an act of congress, passed 28th February, 1809, including the villages of Brownstown and Maguagua.
	Provides additional reservations of land for the use of the tribes, and grants to certain individuals.
33,173,383 14,830,432	Beginning at <i>fort Clark</i> , on the Missouri, five miles above "Fire Prairie," and running thence, a due south course, to the river Arkansas, and down the same to the Mississippi; ceding and relinquishing all the lands which lie east of the said line, and north of the southwardly bank of the river Arkansas, and all lands situated northwardly of the river Missouri.
48,003,815	
7,392,000	Situate between the Verdigris river and the old Osage boundary.
26,698,560 2,492,000	This treaty reserves 1,500,000 acres, which were subsequently ceded by them to the U. S. at the treaty at Harrington's, 15th Nov. 1824.
29,190,560	

ABSTRACT OF INDIAN

Tribes of Indians,	Date of treaty, and where concluded.	State and territory wherein the ceded lands are situated
Kickapoo of Vermillion	30th Aug. 1819, fort Harrison (ante, p. 265)	Indiana Illinois
Kickapoo	30th July, 1819, Edwardsville (ante, p. 267)	Illinois
Chippewa	24th Sept. 1819, Saginaw (ante, p. 324)	Michigan
Chippewa	16th June, 1820, Sault de St. Marie (ante, p. 328)	Michigan
Ottawa and Chippewa	6th July, 1820, Lac arbre Croche (ante, p. 106)	
Wea	11th August, 1820, Vincennes (ante, p. 261)	Indiana
Ottawa, Chippewa, and Pottawatima	29th August, 1821, Chicago (ante, p. 107)	Michigan Indiana
Quapaw	15th Novem. 1824, Harrington's (ante, p. 308)	Arkansas
Choctaw	January 3d. 1786, Hopewell (ante, p. 152)	
Choctaw	17th Dec. 1801, fort Adams (ante, p. 155)	Mississippi
Choctaw	17th Oct. 1802, fort Confederation (ante, p. 158)	Mississippi
Choctaw	16th Nov. 1805, Mount Dexter (ante, p. 161)	Mississippi Alabama
Choctaw	24th October, 1816, Choctaw trading house (ante, p. 164)	Mississippi
Choctaw	18th Octob. 1820, Doaks' stand (ante, p. 165)	Mississippi
Choctaw	20th Jan. 1825, city of Washington (ante, p. 171)	Arkansas
Chickasaw	10th Jan'y. 1786, Hopewell (ante, p. 176)	
Chickasaw	24th Octob. 1801, Chickasaw Bluff's (ante, p. 177)	
Chickasaw	23d July, 1805, Chickasaw country (ante, p. 179)	Principally in Tennessee and Kentucky Alabama
Chickasaw	20th Sept. 1816, Chickasaw council house (ante, p. 181)	Mississippi
Cherokee	7th Jan. 1806, city of Washington (ante, p. 131)	Tennessee Alabama

TREATIES—CONTINUED.

Estimated contents of the cession, in acres.	REMARKS.
25,200 2,317,849 2,343,049	{ This is the quantity, clear of interference with any previous cessions.
969,400 7,451,520	{ This is the quantity, clear of interference with any previous cessions.
10,240	{ Sixteen square miles, beginning at Big creek, on the river St. Mary's, and running down the river back for quantity.
-	{ Ceding the St. Martin islands in lake Huron, containing plaister of Paris.
30,000	{ Being the land at the mouth of Racoon creek, a branch of the Wabash, reserved by their treaty at St. Mary's, 2d October, 1818.
4,472,550 460,800 4,933,350	
1,500,000	{ The land reserved by their treaty at St. Louis 24th August, 1818.
-	Treaty of limits.
2,245,720	
-	{ Ceding lands between the Chickasawhay and the Tombigby and Mobile rivers, included within the limits of their subsequent treaty, at Mount Dexter, 16th Nov. 1805.
4,374,244 1,612,800	{ Including the land ceded by the treaty of fort Confederation.
5,987,044	
-	{ This land was also ceded by their treaty of Mount Dexter.
5,447,267	
5,030,912	
-	Treaty of limits.
-	{ Granting the U. States permission to make a road through part of Tennessee and Mississippi.
345,600	This land formed, originally, Madison co. Alabama.
408,000	{ This is the tract which now forms Monroe county, Mississippi, and was also ceded by the Creek treaty, of 9th Aug. 1814.
1,209,600	{ Elucidated by treaty of Chickasaw old fields, 11th Sept. 1807.

ABSTRACT OF INDIAN

Tribes of Indians.	Date of treaty, and where concluded.	State and territory wherein the ceded lands are situated.
Cherokee	22d March, 1816, city of Washington (ante, p. 136)	-
Cherokee	4th Octob. 1816, Turkey Town (ante, p. 138)	Alabama
Cherokee	27th Feb. 1819, city of Washington (ante, p. 146)	Tennessee Alabama
Creek	9th August 1814, fort Jackson (ante, p. 207)	Georgia Mississippi Alabama

Note. From the foregoing statement, politely furnished by the General Agent for the Indians, as follows:

In Ohio,	-	-	-	-
In Indiana,	-	-	-	-
In Illinois,	-	-	-	-
In Louisiana,	-	-	-	-
In Alabama,	-	-	-	-
In Mississippi,	-	-	-	-
In Missouri,	-	-	-	-
In Michigan territory,	-	-	-	-
In Arkansas territory, and west,	-	-	-	-

Making an aggregate of (With the exception of a small part of a cession made by the Chickasaw the lands acquired, under various treaties with the Creeks and Cherokee

No. 8. STATEMENT of Annuities payable by the U. S. to which they are respectively payable, the dates of the treaties

Names of Indian tribes or nations.	Am't of annuities.	Terms of annuities.	Termination of limited annuities.	Dates of treaties which provide for annuities.
Six nations, New York	4,500	Permanent	-	Nov. 11, 1790
Young King, a chief of the Seneca nation, one of the six	200	For life	-	-
Little Billy, a chief also	50	For life	-	-
	4,750			
Wyandots	1,000	Permanent	-	Aug. 3, 1796
" Munsee, Delaware, & those of the Shawnee and Seneca nations who reside with the Wyandots	825	do	-	July 4, 1796
"	400	do	-	Nov. 17, 1796

TREATIES—CONTINUED.

ory ded te.	Estimated con- tents of the ces- sion, in acres.	REMARKS.
-	-	{ Establishing the boundary line between the U. States and the Cherokees, under the treaty of fort Jackson, 9th August, 1814.
-	1,395,200	
-	-	
-	738,560	
-	7,552,000	
-	408,000	
-	14,284,800	
-	22,244,800	

GENERAL LAND OFFICE, 23d June, 1826.

eral Land Office, it appears that the United States have acquired lands

-	-	-	-	-	24,854,888 acres.
-	-	-	-	-	16,243,685
-	-	-	-	-	29,384,744
-	-	-	-	-	2,492,000
-	-	-	-	-	19,586,560
-	-	-	-	-	12,475,231
-	-	-	-	-	36,169,383
-	-	-	-	-	17,561,470
-	-	-	-	-	53,451,904

214,219,865 acres,

s, which lies in Kentucky,) acquired for the United States, exclusive of
ees, for the states of Georgia, Tennessee, N. Carolina, and S. Carolina.

Indian tribes or nations, shewing their amount, the terms for
s, and the acts of Congress which provide for said Annuities.

he treaties ovide for ities,	Ref. to treaty provi- sions.	Dates of acts of ap- propriation.	REMARKS.
794	p. 14	Feb. 25, 1799	{ Besides this sum, which is distri- buted among the Six nations generally, there are \$6,000 paid annually to the Seneca na- tion, one of the Six, on account of interest on stock, &c. under a contract with them of 15th Sept. 1797. (See the contract, ante, p. 33. { Granted by congress, for brave and meritorious services. (See the act making the grant, ante, p. 387.) { Annual stipend allowed by the government.
-	-	April 26, 1816	
-	-	-	
795	p. 52	May 6, 1796	{ The treaty provides for an an- nuity of \$1,000; but \$175 of which being secured to the Pre- sident, in trust for said Indians, by the Connecticut Land Com- pany, \$825 only is paid to the U. States.
05	p. 61	April 21, 1806	
1807	p. 67	Feb. 19, 1808	

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STATEMENT

Names of Indian tribes or nations.	Am't of annuities.	Terms of annuities.	Termination of limited annuities.	Dates of annuities which for an
Wyandots	4,500	Permanent	-	{ Sept.
	6,725			{ Sept.
Shawanees	1,000	do	-	Aug. 3,
"	2,000	do	-	Sept. 29,
	3,000			
Shawanees & Senecas of Lewistown	1,000	do	-	Sept. 17,
Senecas of Lewistown	1,000	do	-	{ Sept. 1,
				{ Sept.
Delawares	1,000	do	-	Aug. 3,
"	500	do	-	Sept. 30,
"	4,000	do	-	Oct. 3, 1
	5,500			
Weas	500	Permanent	-	Aug. 3,
"	250	do	-	Aug. 21,
"	400	do	-	{ Sept.
"	1,850	do	-	{ Oct. 2,
	3,000			Oct. 2, 1
Piankeshaws	500	do	-	Aug. 3, 1
"	300	do	-	Dec. 30,
	800			
Kaskaskias	500	do	-	Aug. 3, 1
"	500	do	-	Aug. 13,
	1,000			
Ottawas	1,000	do	-	Aug. 3, 1
"	800	do	-	Nov. 17,
"	1,000	15 years	1832	Sept. 29,
"	1,500	Permanent	-	Sept. 17,
"	1,000	do	-	Aug. 29,
"	1,500	10 years	1831	do
	6,800			
Chippewas	1,000	Permanent	-	Aug. 3, 1
"	800	do	-	Nov. 17,
"	1,000	15 years	1832	Sept. 29,
"	1,000	Permanent	-	Sept. 24,
"	2,000	-	-	do
	4,800			
Pottawatimies	1,000	Permanent	-	Aug. 3, 1
" on the river Huron	400	do	-	Nov. 17,
"	500	do	-	Sept. 30,
"	1,300	15 years	1832	Sept. 29,
"	2,500	Permanent	-	Oct. 2, 18

of the treaty which provide annuities.	Ref. to treaty provi- sions.	Dates of acts of ap- propriation.	REMARKS.
29, 1817, & 17, 1818	p. 86 p. 101	{ March 3, 1819	
1795 , 1817	p. 52 p. 86	May 6, 1796 March 3, 1819	
, 1818	p. 101	do do	
29, 1817, & 17, 1818	p. 86 p. 101	{ do do	
1795 , 1809 818	p. 52 p. 72 p. 6	May 6, 1796 May 1, 1810 March 3, 1819	
			{ The sum of \$500 is also, agreea- bly to an understanding be- tween the commissioners who negotiated the treaty of 1818, and two of the principal chiefs, (Anderson and Lapalnihlic) to be paid to them annually, ma- king the whole Delaware annui- ty \$6000.
1795 1805	p. 52 p. 64	May 6, 1796 April 21, 1806	
30, & 6, 1809 818	p. 72 p. 259 p. 260	{ May 1, 1810 March 3, 1819	
1795 1805	p. 52 p. 226	May 6, 1796 March 3, 1807	
1795 1803	p. 52 p. 223	May 6, 1796 May 7, 1822	
795 1807 1817 1818 1821 do	p. 52 p. 67 p. 87 p. 101 p. 109 p. 109	May 6, 1796 Feb. 19, 1808 March 3, 1819 do do May 7, 1822 do do	
795 1807 1817 1819 do	p. 52 p. 67 p. 87 p. 325 p. 326	May 6, 1796 Feb. 19, 1808 March 3, 1819 May 15, 1820 May 7, 1822	To be applied to the support of a blacksmith, teacher, &c.
795 1807 1809 1817 818	p. 52 p. 67 p. 72 p. 86 p. 274	May 6, 1796 Feb. 19, 1808 May 1, 1810 March 3, 1819 do do	To be applied, during the plea- sure of the President, to the sup- port of a blacksmith, &c.

STATEMENT

Names of Indian tribes or nations.	Am't of annuities.	Terms of annuities.	Termination of limited annuities.	Dates of annuities which for an
Pottawatimies	5,000	20 years	1841	Aug. 29,
"	1,000	15 years	1836	do
	11,700			
Ottawas, Chippewas, and Pottawatimies, residing on the Illinois and Melwakee rivers, &c.	1,000	12 years	1828	Aug. 24,
Miamies	1,000	Permanent	-	Aug. 3, 1
"	600	do	-	Aug. 21,
"	700	do	-	Sept. 30,
"	15,000	do	-	Oct. 6, 1
	17,300			
Eel Rivers	500	do	-	Aug. 3, 1
"	250	do	-	Aug. 21,
"	350	do	-	Sept. 30,
	1,100			
Sacs and Foxes	1,000	do	-	Nov. 3, 1
" "	1,000	10 years	1834	Aug. 4,
	2,000			
Osages	1,500	Permanent	-	Nov. 10,
"	7,000	20 years	1845	June 2, 1
	8,500			
Quapaws	1,000	Permanent	-	Aug. 24,
"	1,000	11 years	1835	Nov. 15,
	2,000			
Peoria, Kaskaskias, Mitchigamia, Cahokia, and Tamarois tribes of the Illinois nation	300	12 years	1830	Sept. 25,
Kickapoos of Illinois	2,000	15 years	1834	July 30, 1
" of Vermillion	2,000	10 years	1829	Aug. 30,
	4,000			
Ioways	500	10 years	1834	Aug. 4, 1
Kansas	3,500	20 years	1845	June 3, 1
Creeks	1,500	Permanent	-	Aug. 7, 1
"	5,000	do	-	June 16, 1
"	10,000	10 years	1828	Jan. 22, 1
"	16,000	5 years	1828	Jan. 8, 1
"	20,000	Permanent	-	Jan. 24, 1
	50,500			

T—CONTINUED.

the trea- ch provide nuities.	Ref. to treaty provi- sions.	Dates of acts of ap- propriation.	REMARKS.
1821 do	p. 109 do	May 7, 1822 do do	To be applied to the support of a blacksmith, &c.
1816	p. 84	March 3, 1817	
1795 1805 1809 1818	p. 52 p. 64 p. 72 p. 315	May 6, 1796 April 21, 1806 May 1, 1810 March 3, 1819	
1795 1805 1809	p. 52 p. 64 p. 72	May 6, 1796 April 21, 1806 May 1, 1810	
1804 1824	p. 231 p. 242	March 3, 1815 May 20, 1826	
1808 1825	p. 244 p. 254	March 3, 1811 May 20, 1826	
1818 1824	p. 307 p. 309	March 3, 1819 May 20, 1826	
1818 1819 1819	p. 104 p. 286 p. 265	March 3, 1819 May 17, 1822 May 15, 1820	
1824 1825	p. 288 p. 291	May 20, 1826 do do	
1790 1802 1818 1821 1826	p. 191 p. 203 p. 212 p. 214 p. 372	Feb. 25, 1799 March 3, 1819 do do May 26, 1824 May 22, 1826	This last annuity commenced, ac- cording to the treaty, with the year 1824, and will terminate, as stated, with the year 1828; when the further annuity of \$10,000, for six years, for which the trea- ty provides, becomes payable— commencing with the year 1829, and ending with the year 1834.

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STATEMENT

Names of Indian tribes or nations.	Am't of annuities.	Terms of annuities.	Termination of limited annuities.	Dates of terminations which for annuities.
Cherokees	6,000	Permanent	-	{ June, 2
"	3,000	do	-	{ Oct. 2
"	6,000	10 years	1826	Oct. 25, 1
"	1,000	Permanent	-	Sept. 14, 1
	16,000			Oct. 24, 1
Chickasaws	3,000	Permanent	-	July 15, 1
"	12,100	10 years	1826	Sept. 20,
"	20,000	15 years	1833	Oct. 19, 1
	35,100			
Choctaws	3,000	Permanent	-	Nov. 16,
"	6,000	20 years	1836	Oct. 24, 1
	2,400	Permanent	-	
"	600	do	-	Oct. 18, 1
	150	For life	-	do
	6,000	Permanent	-	Jan. 20, 1
79	6,000	16 years	1840	do
"	150	For life	-	do
	24,300			
Florida Indians	5,000	20 years	1843	Sept. 18,
"	2,000	do	do	do
	7,000			
Amount of permanent annuities,				
Amount of limited annuities,				
Aggregate amount of annuities,				

the treat- provide ities.	Ref. to treaty provi- sions	Dates of acts of ap- propriation.	REMARKS.
6, 1794 1798 805 1816 804	p. 121 p. 124 p. 129 p. 138 p. 127	{ Feb. 25, 1799 April 21, 1806 March 3, 1817 May 20, 1826	{ By the 6th art of the treaty with the Cherokees of 1819, provi- sion was made for the division of the annuities—two-thirds to the Cherokees east, and one-third to the Cherokees west of the Mis- sissippi. (See the art. p. 143, and the note at the foot of the treaty, p. 152.) { This annuity, it appears by the act of appropriation, is provided for by an agreement entered into at Philadelphia, with the chiefs of the nation, 15th July, 1794, but which is not among the trea- ties in this volume, as no copy of it could be found.
794	-	Feb. 25, 1799	
1816	p. 181	March 3, 1817	Including \$100 for life annuity to Gen Colbert, a chief, (see page 183.)
818	p. 184	March 3, 1819	
1305 816	p. 162 p. 164	Feb. 19, 1808 March 3, 1817	
	-	May 7, 1822	{ This sum embraces \$400 paid an- nually for tavern stands, under the 6th art. treaty of 1805—(see ante, p. 163,) and \$2,000 for an- nual gratuity allowed under pre- vious treaties.
820	p. 168	do do	Support of light horse, under the 6th art. of treaty of 1820.
do	p. 169	do do	Annuity to Mushulatublee, a chief.
825	p. 172	May 20, 1826	To be applied for 20 years to the support of schools.
do	p. 172	do do	
do	p. 174	do do	Annuity to Robert Cole, a chief.
1823 do	p. 331 p. 331	May 26, 1824 do do	For the support of a school, and a gun-smith.
-	-	-	\$ 108,375
-	-	-	116,300
-	-	-	<u>\$ 224,675</u>

Recapitulation of the various acts of appropriation for annuities, shewing the amount now applicable to that object, under each act.*

Act	6th May	-	1796	-	\$ 9,000
"	25th February	-	1799	-	15,000
"	3d March	-	1805	-	1,000
"	21st April	-	1806	-	4,925
"	3d March	-	1807	-	300
"	19th February	-	1808	-	5,400
"	1st May	-	1810	-	2,450
"	3d March	-	1811	-	1,500
"	26th April	-	1816	-	200
"	3d March	-	1817	-	25,100
"	3d March	-	1819	-	70,950
"	15th May	-	1820	-	3,000
"	7th May	-	1822	-	16,150
"	26th May	-	1824	-	23,000
† "	20th May	-	1826	(page 411)	26,150
"	22d May	-	1826	(page 415)	20,000

\$ 224,125

Add. for life annuities to Anderson and Lapahnilhe, of the Delaware nation, of \$ 360 to the former, and \$ 140 to the latter,—and to Little Billy of the Six Nations, of \$ 50—all of which are referred to in the preceding statement, and are not provided for by any specific act, - -

550

\$ 224,675

* The laws making appropriations for carrying into effect the various treaties with the Indians, passed anterior to the last session of Congress, having been executed as to all the provisions of said treaties, except *annuities*, and a reference therefore to the provision for *these* only, (as is here made) being necessary, they have not been inserted at large in this volume. The acts passed at the last session, making appropriations for carrying into effect certain Indian treaties, ratified before and during the session, and for other objects, all of which remained to be executed, have of course been inserted entire. See chap. 66, ante.

† In addition to the amount appropriated by this act, as here stated, for annuities, (the amount of which, respectively, are specially provided for in the treaties referred to in the act) the following annual provisions have been made, on estimate, by said act, for carrying into effect other stipulations of said treaties, &c.

For the support of a blacksmith, &c. for the Socks and Foxes, and Ioways, under the 4th and 5th articles of the treaties with them of 4th August, 1824, (See the articles, p. 242 & 288.)	\$ 3,000
For the support of a gun-smith for the Miamies, under the 5th art. of the treaty with them of 6th Oct. 1818, (See the art. p. 315.)	600
For the purchase of salt for the Miamies under the same treaty and same article, (p. 315.)	320

Carried forward \$ 3,920

NOTE. The following amounts of the above appropriations, being for limited annuities, will cease as follows, to wit:

\$ 18,000	under the act	3d March	1817	in	1826
1,000	"	3d March	1817	"	1826
10,000	"	3d March	1819	}	1828
16,000	"	24th May	1824		
2,000	"	15th May	1820	"	1829
300	"	3d March	1819	"	1830
1,500	"	7th May	1822	"	1831
3,300	"	3d March	1819	"	1832
20,000	"	3d March	1819	"	1833
2,000	"	7th May	1822	}	1834
1,500	"	20th May	1826		
1,000	"	20th May	1826	"	1835
6,000	"	3d March	1817	}	1836
1,000	"	7th May	1822		
6,000	"	20th May	1826	"	1840
5,000	"	7th May	1822	"	1841
7,000	"	24th May	1824	"	1843
10,500	"	20th May	1826	"	1845
200	"	26th April	1816	life annuity	
100	"	3d March	1817	do	
150	"	7th May	1822	do	
150	"	20th May	1826	do	
2,000	"	7th May	1822	{ Depending on the pleasure of the President.	
<hr/>					
\$ 115,750	Amount of appropriations for limited annuities.				
550	Life annuities for which there is no specific appropriation.				
<hr/>					
\$ 116,300	Whole amount of limited annuities.				

	<i>Brought forward</i>	\$ 3,920
For the purchase of salt for the Delawares, Shawanees, Pottawatomies, &c. under the 3d art. (which see, p. 58) of the treaty with them of 7th June, 1803,		300
For annuity to certain christian Indians, under an arrangement specified in the act, (See p. 408.)		400
This sum,		\$ 4,620
Added to the amount of permanent annuities mentioned at the foot of the statement of annuities,		108,375
Will make the amount permanently appropriated by the several acts above referred to, for annuities, &c.		\$ 112,995
		<hr/>

DEPARTMENT OF WAR,
OFFICE INDIAN AFFAIRS,
August 1, 1826.



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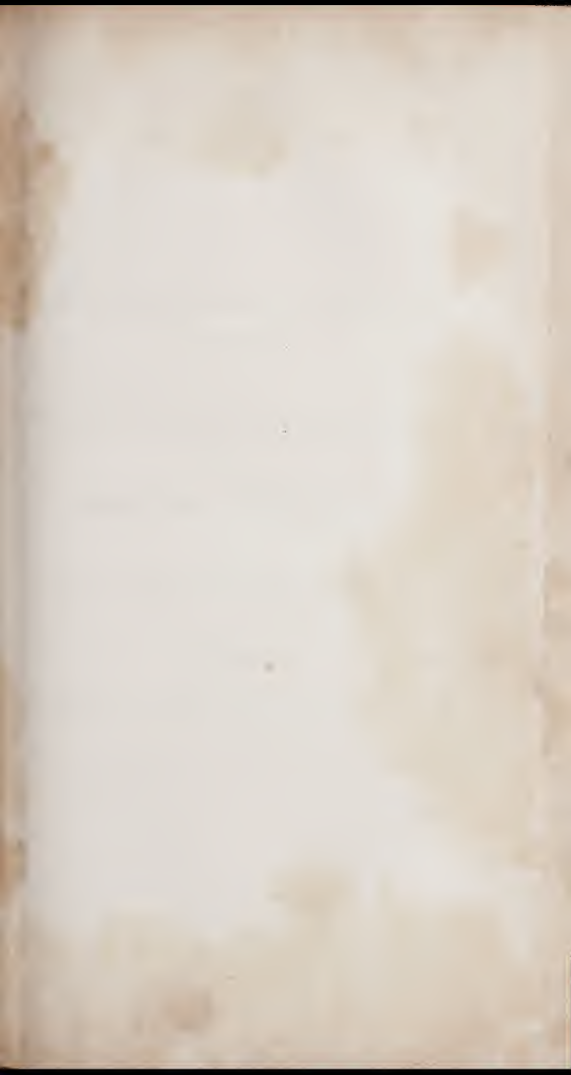
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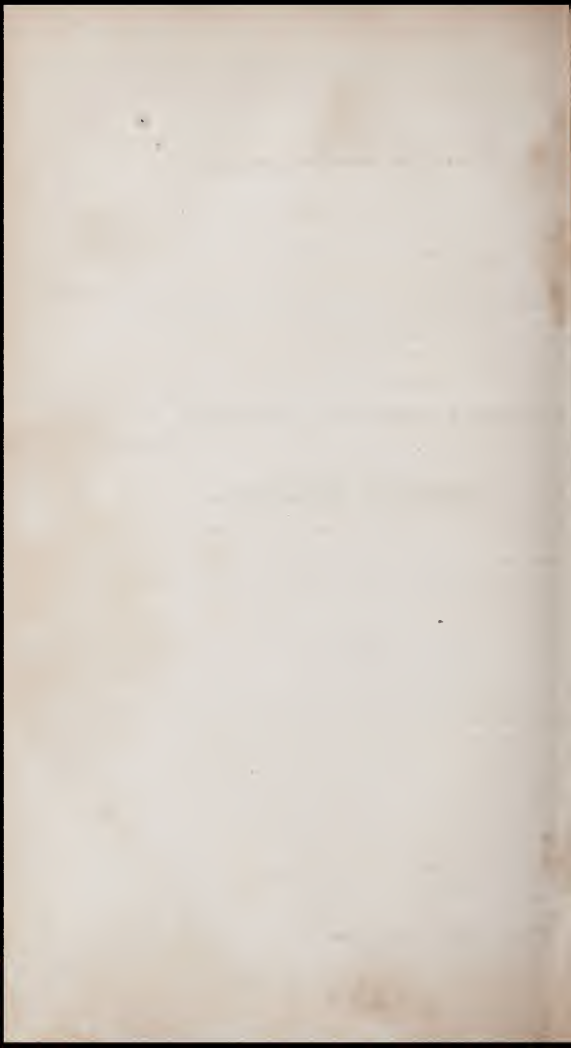
RELATING TO

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TO THE

END OF THE TWENTY-FIRST CONGRESS.

Official.



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Treaty with the Miamies.

[SUPPLEMENTARY TO CHAP. 28.—ANTE PAGE 312.]

No. 2. Articles of a Treaty made and concluded, near the mouth of the Mississinewa, upon the Wabash, in the State of Indiana, this twenty-third day of October, in the year of our Lord one thousand eight hundred and twenty-six, between LEWIS CASS, JAMES B. RAY, and JOHN TIPTON, Commissioners on the part of the United States, and the Chiefs and Warriors of the Miami Tribe of Indians. Introduction.

Art. 1. The Miami Tribe of Indians cede to the United States all their claim to land in the State of Indiana, north and west of the Wabash and Miami rivers, and of the cession made by the said tribe to the United States, by the treaty concluded at St. Mary's, October 6, 1818. Lands ceded to U. States.

Art. 2. From the cession aforesaid, the following reservations, for the use of the said tribe, shall be made: Reservations for said tribe.

Fourteen sections of Land at Seek's village;

Five sections for the Beaver, below and adjoining the preceding reservation;

Thirty-six sections at Flat Belly's village;

Five sections for Little Charley, above the old village, on the North side of Eel river;

One section for Laventure's daughter, opposite the Islands, about fifteen miles below Fort Wayne;

One section for Chapine, above, and adjoining Seek's village;

Ten sections at the White Raccoon's village;

Ten sections at the mouth of Mud Creek, on Eel River, at the old village;

Ten sections at the forks of the Wabash;

One reservation commencing two miles and a half below the mouth of the Mississinewa, and running up the Wabash five miles, with the bank thereof, and from these points running due north to Eel river.

And it is agreed, that the State of Indiana may lay out a canal or a road through any of the reservations, and for the use of a canal six chains along the same are hereby appropriated. Indiana to lay out a canal or road through the reservations.

Art. 3. There shall be granted to each of the persons named in the schedule hereunto annexed, and to their heirs, the tracts of land therein designated; but the land so granted shall never be conveyed without the consent of the President of the United States. Land granted, not to be conveyed without the consent of the President.

Art. 4. The Commissioners of the United States have caused to be delivered to the Miami tribe goods to the value of \$31,040 53, in part consideration for the cession herein made; and it is agreed, that if this treaty shall be ratified by the President and Senate of the United States, the United Goods to the amount of \$31,040 53 delivered to them.

Further agreement. States shall pay to the persons named in the schedule this day signed by the Commissioners, and transmitted to the War Department, the sums affixed to their names respectively, for goods furnished by them, and amounting to the sum of \$31,040 53. And it is further agreed, that payment for these goods shall be made by the Miami tribe out of their annuity, if this treaty be not ratified by the United States.

An additional sum of 26,259 dls 47 cts. in goods. And the United States further engage to deliver to the said tribe, in the course of the next summer, the additional sum of \$26,259 47 in goods.

Annuity. And it is also agreed, that an annuity of thirty-five thousand dollars, ten thousand of which shall be in goods, shall be paid to the said tribe in the year one thousand eight hundred and twenty-seven; and thirty thousand dollars, five thousand of which shall be in goods, in the year one thousand eight hundred and twenty-eight; after which time, a permanent annuity of twenty-five thousand dollars shall be paid to them, as long as they exist together as a tribe; which several sums are to include the annuities due by preceding treaties to the said tribe.

A wagon and a yoke of oxen to be furnished certain persons of said tribe. And the United States further engage to furnish a wagon and one yoke of oxen for each of the following persons: namely, Joseph Richardville, Black Raccoon, Flat Belly, White Raccoon, Francois Godfroy, Little Beaver, Mettosanea, Seek, and Little Huron; and one wagon and a yoke of oxen for the band living at the forks of the Wabash.

A house, also, for certain persons. And also to cause to be built a house, not exceeding the value of six hundred dollars for each of the following persons, namely: Joseph Richardville, Francois Godfroy, Louison Godfroy, Francis Lafontaine, White Raccoon, La Gros, Jean B. Richardville, Flat Belly, and Wau-we-as-see.

200 head of cattle to be furnished said tribe, &c. And also to furnish the said tribe with two hundred head of cattle, from four to six years old, and two hundred head of hogs; and to cause to be annually delivered to them, two thousand pounds of iron, one thousand pounds of steel, and one thousand pounds of tobacco.

Further provision. And to provide five labourers to work three months in the year, for the small villages, and three labourers to work three months in the year, for the Mississinewa band.

Claims against said tribe, amounting to 7,727 dls. 47 cts. to be paid by the U. S. *Art. 5.* The Miami tribe being anxious to pay certain claims existing against them, it is agreed, as a part of the consideration for the cession in the first article, that these claims amounting to \$7,727 47, and which are stated in a schedule this day signed by the Commissioners, and transmitted to the War Department, shall be paid by the United States.

2,000 dols. annually, for the support of poor and in- *Art. 6.* The United States agree to appropriate the sum of two thousand dollars annually, as long as Congress may think proper, for the support of poor infirm persons of the Miami

tribe, and for the education of the youth of the said tribe; which sum shall be expended under the direction of the President of the United States. firm persons of said tribe.

Art. 7. It is agreed, that the United States shall purchase of the persons named in the schedule hereunto annexed, the land therein mentioned, which was granted to them by the Treaty of St. Mary's, and shall pay the price affixed to their names respectively; the payments to be made when the title to the lands is conveyed to the United States. Further agreement.

Art. 8. The Miami tribe shall enjoy the right of hunting upon the land herein conveyed, so long as the same shall be the property of the United States. Right of hunting upon the land.

Art. 9. This treaty, after the same shall be ratified by the President and Senate, shall be binding upon the United States. Treaty to be ratified.

In testimony whereof, the said Lewis Cass, James B. Ray, and John Tipton, Commissioners as aforesaid, and the Chiefs and Warriors of the said Miami tribe, have hereunto set their hands, at the Wabash, on the twenty-third day of October, in the year of our Lord one thousand eight hundred and twenty-six, and of the Independence of the United States the fifty-first.

LEWIS CASS,
J. BROWN RAY,
JOHN TIPTON.

CHIEFS.

Wau-wa-aus-see,	x
Flat Belly,	x
La Gros,	x
White Raccoon,	x
Black Loon,	x
Seek,	x
Mee-se-qua,	x
Noto-wen-sa's Son,	x
La-from-broise,	x
Nego-ta-kaup-wa,	x
Osage,	x
Metto-sa-nea,	x
Little Beaver,	x
Black Raccoon,	x
Chin-quin-sa,	x
James Abbot,	x
Lon-gwa	x
Little Wolf	x
Pun-ge-she-nau,	x
Wonse-pe-au,	x
Francois Godfroy,	x
Joseph Richardville,	x
Francis Lafontaine,	x
Wau-no-sa,	x
White Skin's Son, or the Popular,	x
Cha-pine,	x
Pe-che-wau, or Jean B. Richardville,	x
Chin-go-me-shau,	x

Little Sun	x
W. Shin gan-leau,	x
Louis Godfroy,	x
Ou-sanc-de-au,	x
Me-chanc-qua,	x
Un-e cea-sa,	x
She-qua-hau,	x
Chin-qua-keau,	x
Charley's Son,	x

Done in presence of—

William Marshall, *Sec'y to the Commission*,
 J. M. Ray, *Assist. Sec'y to Commission*,
 Ben. V. Kercheval, *Sub. Agent*,
 Wm. Conner, *Interpreter*,
 Joseph Barron,
 C. W. Ewing,
 J. B. Boure, *Interpreter*,
 James Foster,
 John Ewing, *Senator, State of Indiana*,
 James Gregory, *Senator, State of Indiana*,
 Martin M. Ray, *Representative, Indiana*,
 Sam. Hanna, *Representative, Indiana*,
 George Hunt,
 O. L. Clark.

Schedule of grants referred to in the foregoing Treaty, Article 5d.

To John B. Richardville, one section of land, between the mouth of Pipe Creek and the mouth of Eel River, on the north side of the Wabash, and one section on the north-west side of the St. Joseph, adjoining the old boundary line; also, one half section on the east side of the St. Joseph's below Cha-po-tee's village.

To John B. Boure, one section on the north side of the St. Joseph, including Chop-patee village.

To the wife and children of Charley, a Miami chief, one section where they live.

To Ann Hackley and Jack Hackley, one section each, between the Mau-mee and the St. Joseph's rivers.

To the children of Maria Christiana De Rome, a half blood Miami, one section between the Maumee and the St. Joseph's.

To Ann Turner, alias Hackley, Rebecca Hackley, and Jane S. Wells, each one half section of land, to be located under the direction of the President of the United States.

To John B. Richardville, one section of land upon the north side of the Wabash, to include a large spring nearly opposite the mouth of Pipe Creek.

To Francois Godfroy, one section above and adjoining said last gr. J. B. Richardville.

To Louison Godfroy, one section above and adjoining the grant to Francois Godfroy.

To Francis Lafontaine, one section above and adjoining the grant to Louison Godfroy.

To John B. Richardville, junior, one section on the Wabash, below and adjoining the reservation running from the Wabash to Eel River.

To Joseph Richardville, one section above and adjoining the reservation running from the Wabash to Eel River.

To La Gros, three sections, where he now lives, and one section adjoining the Cranberry in the Portage Prairie.

A quarter section of land to each of the following persons, namely: Charles Gouin, Purri Gouin, and Therese Gouin, to be located under the direction of the President of the United States.

Two sections of land at the old town on Eel River, to be reserved for the use of the Metchinequa.

LEWIS CASS,
J. BROWN RAY,
JOHN TIPTON.

Ratified, 24th January, 1827.

JOHN QUINCY ADAMS,

PRESIDENT OF THE UNITED STATES OF AMERICA.

To all and singular to whom these presents shall come, greeting:

WHEREAS, a Treaty between the United States of America, and the Eel River or Thornton Party of Miami Indians, was made and concluded, on the eleventh day of February, one thousand eight hundred and twenty-eight, at the Wyandot village, near the Wabash, within the United States, by JOHN TIPTON, Commissioner on the part of the United States, and certain Chiefs and Warriors of said nation, on the part, and in behalf of, said nation; which Treaty is in the words following, to wit:

Treaty with the Eel River or Thornton party of the Miami Indians of 11th February, 1828.

No. 3. Articles of a Treaty made and concluded at the Wyandot village, near the Wabash in the State of Indiana, between JOHN TIPTON, Commissioner for that purpose, on the part of the United States, and the Chiefs, Head Men and Warriors, of the Eel River, or Thornton party of Miami Indians.

Art. 1. The Chiefs, Head Men, and Warriors of the Eel River or Thornton party of Miami Indians, agree to cede, and by these presents do cede, and relinquish to the United States all their right, title, and claim to a reservation of land about ten miles square, at their village on Sugartree Creek in Indiana, which was reserved to said party by the second article of a Treaty between Commissioners of the United States, and the Miami nation of Indians, made and entered into at St. Mary's in the State of Ohio, on the sixth day of October, one thousand eight hundred and eighteen.

Said Indians cede to the U. S. a certain quantity of land.

Indians will not burn, &c. the houses, &c. on said reservation, &c.

It is understood and agreed on by said Indians, that they will not burn or destroy the houses or fences on said reservation, and that they will leave them in as good condition as they now are; and remove to the five mile reservation on Eel River by the fifteenth day of October next.

Commissioner on the part of the U. S. delivered to them goods to the value of 2,000 dls.

Art. 2. The Commissioner of the United States has delivered to said party of Indians, goods to the value of two thousand dollars, in part consideration for the cession herein made, and it is agreed that in case this treaty should be ratified by the President and Senate of the United States, that the United States shall pay said party an additional sum of eight thousand dollars in goods next summer, build twelve log houses, ten on the five mile reservation, and two on the Wabash; clear and fence forty acres of land on the five mile reservation, furnish them one wagon and two yoke of oxen, furnish two hands to work three months in each year for two years, five hundred dollars worth of provisions delivered on the Wabash; furnish them five horses, five saddles and five bridles.

If this treaty be not ratified by the President, they agree to pay for the goods received.

Provided however, that if this Treaty should not be ratified by the President and Senate of the United States, that said party agree to pay for the goods this day received, two thousand dollars, to be deducted from their annuity for this present year.

U. S. agree to pay to Peter Langlois, 1,000 dls. in silver, and 3,000 dls. in goods.

Art. 3. At the request of the Indians, and in part consideration for the cession aforesaid, the United States agree to pay to Peter Langlois, one thousand dollars in silver, and three thousand dollars in goods next summer, for provisions and goods heretofore delivered to said party.

U. S. agree to appropriate 1,000 dls per year for five years.

Art. 4. The United States agree to appropriate one thousand dollars per year for five years, and longer if Congress think proper, to be applied under the direction of the President, to the education of the youths of the Miami nation.

The President, &c. may modify the 4th article.

Art. 5. It is distinctly understood and agreed on by and between the contracting parties, that the President and Senate may, if they think proper, modify or expunge from this treaty, the fourth article, without affecting any other of its provisions.

Treaty to be ratified.

Art. 6. This treaty, after the same shall be ratified by the President and Senate of the United States, shall be binding on the contracting parties.

In testimony whereof, the said John Tipton, Commissioner as aforesaid on the part of the United States, and the Chiefs, Head Men, and Warriors, of said party, have hereunto set their hands and seals at the Wyandot village, near the Wabash, this eleventh day of February, in the year of our Lord one thousand eight hundred and twenty-eight.

JOHN TIPTON, *Com'r.*

Ne go ta kaup wa,	x
Shaw po to se aw,	x
Ntah ko ke aw,	x
Aw waw no zaw,	x
Kaw koaw ma kau to aw,	x
Aw sawn zaw gaw,	x
Shin go aw zaw,	x
Oh zau ke at tau,	x
Waw paw ko se aw,	x
Mack kon zaw,	x
Man je ne ki ah,	x
Naw waw pawm awn daw,	x
Ne ah law naun daw,	x
Ke pah naw mo aw,	x
Ke we kau law,	x
Pierrish Constant,	x
Aw wawn saw peau,	x

Attest—

Walter Wilson,

Secretary to the Commissioner.

J. B. Duret,
Joseph Barron, } *Interpreters.*
J. B. Bourc,
Calvin Fletcher,
Saml. Hanna,
Allen Hamilton,
Jordon Vicus,
Pierre Lankly,
Joseph Holman.

Now, therefore, be it known, that I, John Quincy Adams, President of the United States of America, having seen and considered said Treaty, do, in pursuance of the advice and consent of the Senate, as expressed by their resolution of the first instant, accept, ratify, and confirm the same, and every clause and article thereof, with the exception of the fourth article.

In testimony whereof, I have caused the seal of the United States to be hereunto affixed, having signed the same with my hand.

Done at the city of Washington, this seventh day of May, in the year of our Lord one thousand eight hundred and twenty-eight, and of the Independence of the United States the fifty-second.

JOHN QUINCY ADAMS.

By the President:

H. CLAY,

Secretary of State.

Treaty with the Chippewas.

[SUPPLEMENTARY TO CHAP. 30.—ANTE PAGE 324.]

JOHN QUINCY ADAMS,

PRESIDENT OF THE UNITED STATES OF AMERICA.

To all and singular to whom these presents shall come, Greeting:

Treaty with
the Chippewa
Indians, 5th
Aug. 1826.

Whereas a Treaty between the United States of America, and the Chippewa tribe of Indians, was made and concluded on the fifth day of August, one thousand eight hundred and twenty-six, at the Font du Lac of Lake Superior, in the territory of Michigan, by Commissioners on the part of the United States, and certain Chiefs and Warriors of the said tribe, on the part, and in behalf, of the said tribe, which Treaty is in the words following, to wit:

No. 3. Articles of a Treaty made and concluded at the Font du Lac of Lake Superior, this fifth day of August, in the year of our Lord one thousand eight hundred and twenty-six, between LEWIS CASS and THOMAS L. M'KENNEY, Commissioners on the part of the United States, and the Chippewa tribe of Indians.

Preamble.

Whereas a Treaty was concluded at Prairie du Chien in August last, by which the war, which has been so long carried on, to their mutual distress, between the Chippewa and Sioux, was happily terminated by the intervention of the United States; and whereas, owing to the remote and dispersed situation of the Chippewas, full deputations of their different bands did not attend at Prairie du Chien, which circumstance, from the loose nature of the Indian government, would render the Treaty of doubtful obligation, with respect to the bands not represented; and whereas, at the request of the Chippewa Chiefs, a stipulation was inserted in the Treaty of Prairie du Chien, by which the United States agreed to assemble the Chippewa tribe upon Lake Superior during the present year, in order to give full effect to the said Treaty, to explain its stipulations, and to call upon the whole Chippewa tribe, assembled at their general council fire, to give their formal assent thereto, that the peace which has been concluded may be rendered permanent, therefore—

Indians agree
to Treaty con-
cluded in
Aug. last.

Art. 1. The Chiefs and Warriors of the Chippewa tribe of Indians hereby fully assent to the Treaty concluded in August last at Prairie du Chien, and engage to observe and fulfil the stipulations thereof.

A deputation
to be sent by
them to the
Treaty to be
held in 1827,
at Green Bay.

Art. 2. A deputation shall be sent by the Chippewas to the Treaty to be held in 1827, at Green Bay, with full power to arrange and fix the boundary line between the Chippewas and the Winnebagoes and Menomonees, which was left incomplete by the treaty of Prairie du Chien, in consequence of the non-attendance of some of the principle Menomonee Chiefs.

Art. 3. The Chippewa tribe grant to the government of the United States the right to search for, and carry away, any metals or minerals from any part of their country. But this grant is not to affect the title of the land, nor the existing jurisdiction over it. Metals or minerals.

Art. 4. It being deemed important that the half-breeds, scattered through this extensive country, should be stimulated to exertion and improvement by the possession of permanent property and fixed residences, the Chippewa tribe, in consideration of the affection they bear to these persons, and of the interest which they feel in their welfare, grant to each of the persons described in the schedule hereunto annexed, being half-breeds and Chippewas by descent, and it being understood that the schedule includes all of this description who are attached to the Government of the United States, six hundred and forty acres of land, to be located, under the direction of the President of the United States, upon the islands and shores of the St. Mary's river, wherever good land enough for this purpose can be found; and as soon as such locations are made, the jurisdiction and soil thereof are hereby ceded. It is the intention of the parties, that, where circumstances will permit, the grants be surveyed in the ancient French manner, bounding not less than six arpens, nor more than ten, upon the river, and running back for quantity; and that where this cannot be done, such grants be surveyed in any manner the President may direct. The locations for Oshauguscodaywayqua and her descendants shall be adjoining the lower part of the military reservation, and upon the head of Sugar Island. The persons to whom grants are made shall not have the privilege of conveying the same, without the permission of the President. 640 acres of land to be located under direction of the President, upon the Islands and shores of St. Mary's river, for the use, &c.

Art. 5. In consideration of the poverty of the Chippewas, and of the sterile nature of the country they inhabit, unfit for cultivation, and almost destitute of game, and as a proof of regard on the part of the United States, it is agreed that an annuity of two thousand dollars, in money or goods, as the President may direct, shall be paid to the tribe, at the Sault St. Marie. But this annuity shall continue only during the pleasure of the Congress of the United States. An annuity of 2,000 dolls. in money or goods.

Art. 6. With a view to the improvement of the Indian youths, it is also agreed, that an annual sum of one thousand dollars shall be appropriated to the support of an establishment for their education, to be located upon some part of the St. Mary's river, and the money to be expended under the direction of the President; and for the accommodation of such school, a section of land is hereby granted. But the payment of the one thousand dollars stipulated for this article, is subject to the limitation described in the preceding article. Annual sum of 1,000 dolls. to be paid there for the improvement of their children.

The fourth, fifth and sixth articles of this treaty may be rejected by the President and Senate.

Art. 7. The necessity for the stipulations in the fourth, fifth and sixth articles of this treaty could be fully apparent, only from personal observation of the condition, prospects, and wishes of the Chippewas, and the Commissioners were therefore not specially instructed upon the subjects therein referred to; but seeing the extreme poverty of these wretched people, finding them almost naked and starving, and ascertaining that many perished during the last winter, from hunger and cold, they were induced to insert these articles. But it is expressly understood and agreed, that the fourth, fifth and sixth articles, or either of them, may be rejected by the President and Senate, without affecting the validity of the other articles of the treaty.

Said Tribe acknowledge the authority, &c. of the U. States.

Art. 8. The Chippewa tribe of Indians fully acknowledge the authority and jurisdiction of the United States, and disclaim all connection with any foreign power, solemnly promising to reject any messages, speeches, or councils, incompatible with the interest of the United States, and to communicate information thereof to the proper agent, should any such be delivered or sent to them.

Art. 9. This treaty after the same shall be ratified by the President and Senate of the United States, shall be obligatory on the contracting parties.

Done at the Fond du Lac of Lake Superior, in the Territory of Michigan, the day and year above written, and of the Independence of the United States the fifty-first.

LEWIS CASS,
THOS. L. M'KENNEY,

ST. MARY'S.

Shingauba Wassin,	x	Wayishkee,	x
Shewaubecketoan,	x	Sheegud,	x

RIVER ST. CROIX.

Peezhickee,	x	Ultauwau,	x
Noden,	x	Mycengunsheens,	x
Nagwunabee,	x	Mousomonee,	x
Kaubemappa,	x	Muckuday peenaas,	x
Chaucopce,	x	Shelweetangun,	x
Jaubeance,	x		

LA POINTE.

Peezhickee,	x	Wyauweemiad,	x
Keemeewuo,	x	Peekwauwotoanseky	x
Kaubuzoway,	x		

OTTOWAY L.

Paybaumikoway,	x
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LAC DE FLAMBEAU.

Gitshee Migcezee,	x	Gitshee Waubeeshaans,	x
Mizhanquot,	x	Moazonee,	x

ONTONAGON.

Keeshkeetowug,	x	Mautaugumee,	x
Peenaysee,	x	Kweewezaishah,	x

VERMILLION LAKE.

Attickoans,	x	Neezboday,	x
Gyntsheelinne,	x	Nundocheeais,	x
Jauk way,	x	Ogeemauggegid,	x
Madwagkunageezhigwaab,	x	Anncemeekees,	x
Jaukogeeshigwaishkun,	x		

ONTONAGON.

Kauwaishkung,	x	Mautaugumee,	x
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SNAKE RIVER.

Waymitteguash,	x	Meegwunaus,	x
Iskquagwunaabee,	x		

LAC DE FLAMBEAU.

Maytaukoossegay,	x	Pamoossey,	x
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RAINY LAKE.

Aanubkumigishkunk,			x
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SANDY LAKE.

Wauzkuskokok,	x	Osaumemikee,	x
Nitumoganbowee,	x	Gitshee Waymittegoost,	x
Wattap,	x	Poashuninlcel	x

FOND DU LAC.

Shingoop,	x	Miskwautais,	x
Monetogeezisoans,	x	Naubunaygerzhig,	x
Mongazid,	x	Unnaubundaun,	x
Manetogeezhig,	x	Pautaubay,	x
Ojauncemauson,	x	Migeesece,	x

ONTONAGON.

Waubishkeepeenaas,	x	Oguhbayahunhquowaybee,	x
Tweeshitweeshkeeway,	x	Paybaumausing,	x
Kundekund,	x	Keeshkeemun,	x

RIVER DE CORDEAU.

Maugngaubowie,	x	Obumauggezhig,	x
Pudud,	x	Payboudidgeewung,	x
Naugdunosh,	x	Maugeegaubou,	x
Ozhuskuckoen,	x	Paybaumogeezhig,	x
Waubogee,	x	Kaubemappa,	x
Sawbanosh,	x	Waymittegoazhu,	x
Keewayden,	x	Oujupenaas,	x
Gitsheemeewininee,	x	Madwassinyo,	x
Wynunee,	x		

In presence of—

A. Edwards, *Secretary to the Commission*,
 E. Boardman, *Captain commanding detachment*,
 Henry R. Schoolcraft, *U. S. Indian Agent*,
 T. Pitcher, *Assistant Surgeon*,
 J. B. Kingsbury, *Lieut. 2d Infantry*,
 E. A. Brush,
 Daniel Dingley,
 A. Morrison,
 B. Champman,
 Henry Connor,
 W. A. Levake,
 J. O. Lewis.

SUPPLEMENTARY ARTICLE.

Supplement-
ary article.

As the Chippewas who committed the murder upon four American citizens, in June, 1824, upon the shores of Lake Pepin, are not present at this council, but are far in the interior of the country, so that they cannot be apprehended and delivered to the proper authority before the commencement of the next Summer; and, as the Commissioners have been specially instructed to demand the surrender of these persons, and to state to the Chippewa tribe the consequence of suffering such a flagitious outrage to go unpunished, it is agreed, that the persons guilty of the beforementioned murder shall be brought in, either to the Sault St. Marie, or Green Bay, as early next summer as practicable, and surrendered to the proper authority; and that, in the mean time, all further measures on the part of the United States, in relation to this subject, shall be suspended.

LEWIS CASS,
THOS. L. M'KENNEY.

Representing the Bands to whom the persons guilty of the murder belong, for themselves and the Chippewa tribe.	{	Gitshee Meegeesee, his x mark, Metaukoosagay, his x mark, Ouskunzheema, his x mark, Keenesteno, his x mark,
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Witnesses—

A. Edwards, *Secretary to the Commission.*
E. Boardman, *Capt. commanding detachment,*
Henry R. Schoolcraft, *U. S. Indian Agent,*
Henry Connor, *Interpreter.*

Schedule referred to in the preceding Treaty.

Schedule;

To Oshauguscodaywagqua, wife of John Johnson, Esq. to each of her children, and to each of her grand children, one section.

To Saugemauqua, widow of the late John Baptiste Cadotte, and to her children, Louison, Sophia, Archangel, Edward, and Polly, one section each.

To Keneesequa, wife of Samuel Ashman, and to each of her children, one section.

To Teegaushau, wife of Charles H. Oakes, and to each of her children, one section.

To Thomas Shaw, son of Obimetunoqua, and to his wife Mary, being also of Indian descent, each one section.

To Fanny Levake, daughter of Meeshwauqua, and to each of her children, one section.

To Obayshaunoquotoqua, wife of Francis Goolay, Jr. one section.

To Omuckackeence, wife of John Holiday, and to each of her children, one section.

To Obimegeezhigoqua, wife of Joseph Du Chene, Jr. and to each of her children, one section.

To Monedoqua, wife of Charles Cloutier, one section.

To Susan Yarns, daughter of Odanbitogeezhigoqua, one section.

To Henry Sayer and John Sayer, sons of Obemau-unoqua, each one section.

To each of the children of John Tanner, being of Chippewa descent, one section.

To Wassidjeewunoqua, and to each of her children, by George Johnson, one section.

To Michael Cadotte, senior, son of Equawaice one section.

To Equaysayway, wife of Michael Cadotte, senior, and to each of her children living within the United States, one section.

To each of the children of Charlotte Warren, widow of the late Truman A. Warren, one section.

To Mary Chapman daughter of Equameeg, and wife of Bela Chapman, and to each of her children, one section.

To Saganoshequa, wife of John H. Fairbanks, and to each of her children, one section.

To Shaughnomonee, wife of William Morrison, and to each of her children, one section.

To each of the children of the late Ingwaysuh, wife of Joseph Cote, one section.

To each of the children of Angelique Cote, late wife of Pierre Cote, one section.

To Pazhikwutoqua, wife of William Aitken, and to each of her children, one section.

To Susan Davenport, grand daughter of Misquabunoqua, and wife of Ambrose Davenport, and to each of her children, one section.

To Waubunequa, wife of Augustin Belanger, and to each of her children, one section.

To Charlotte Louisa Morrison, wife of Allan Morrison, and daughter of Manitowidjewung, and to each of her children, one section.

To each of the children of Eustace Roussain, by Shawwun-
aubunoqua, Wauwaussumoqua; and Payshaubunoqua, one section.

To Isabella Dingley, wife of Daniel Dingley and daughter of Pimegeezhigoqua, and to each of her children, one section.

To George Birkhead, being a Chippewa by descent, one section.

To Susan Conner, wife of Thomas Conner, and daughter of Pimeeshigoqua; and to each of her children, one section.

To the children of George Ermatinger, being of Shawnee extraction, two sections collectively.

To Ossinahjeeunoqua, wife of Michael Cadotte, Jr. and to each of her children, one section.

To Minedemoeyah, wife of Pierre Duvernay, one section.

To Ogeemaugcezhigoqua, wife of Basil Boileau, one section.

To Wauneaussequa, wife of Paul Boileau, one section.

To Kaukaubeshееqua, wife of John Baptiste Corbeau, one section.

To John Baptiste Du Chene, son of Pimegeizhigoqua, one section.

To each of the children of Ugwudaushee, by the late Truman A. Warren, one section.

To William Warren, son of Lyman M. Warren, and Mary Cadotte, one section.

To Antonie, Joseph, Louis, Chalot, and Margaret Charette, children of Equameeg, one section.

To the children of Francois Butcher, by Waussequa, each one section.

To Angelique Brabent, daughter of Waussegundum, and wife Alexis Brabent, one section.

To Odishqua, of Sault St. Marie, a Chippewa, of unmixed blood, one section,

To Pamidjeewung, of Sault St. Marie, as Chippewa, of unmixed blood, one section.

To Waybossinoqua, and John J. Wayishkee, children of Wayishkee, each one section.

LEWIS CASS,
THOS. L. M'KENNEY.

Now, therefore, be it known, that I, JOHN QUINCY ADAMS, President of the United States of America, having seen and considered the said treaty, do, in pursuance of the advice and consent of the Senate, as expressed by their resolution of the sixteenth ultimo, accept, ratify, and confirm the same, together with the supplementary article thereto, with the exception of the fourth and fifth articles.

In testimony whereof, I have caused the seal of the United States to be hereunto affixed, having signed the same with my hand.

Done at the City of Washington, this seventh day of February, in the year of our Lord, one thousand eight hundred and twenty-seven, and of the Independence of the United States, the fifty-first.

JOHN QUINCY ADAMS.

By the President :

H. CLAY,

Secretary of State.

Treaties with the Potawatamies.

[SUPPLEMENTARY TO CHAP 15.—ANTE PAGE 270]

JOHN QUINCY ADAMS,

PRESIDENT OF THE UNITED STATES OF AMERICA,

*To all and singular to whom these presents shall come, greeting.*Trenty with
the Pottawat-
amie Indians,
16th Oct. 1826.

WHEREAS, a Treaty between the United States of America and the POTAWATAMIE tribe of Indians, was made and concluded on the sixteenth day of October, one thousand eight hundred and twenty-six, near the mouth of the Mississinowa, upon the Wabash, in the state of Indiana, by Commissioners on the part of the United States, and certain Chiefs and Warriors of the said tribe, on the part and in behalf of the said tribe; which Treaty is in the words following, to wit:

No. 3. Articles of a treaty made and concluded near the mouth of the Mississinowa, upon the Wabash, in the state of Indiana, this sixteenth day of October, in the year of our Lord one thousand eight hundred and twenty-six, between LEWIS CASS, JAMES B. RAY, and JOHN TIPTON, Commissioners on the part of the United States, and the Chiefs and Warriors of the Potawatamie tribe of Indians.

Art. 1. The Potawatamie tribe cede to the United States their right to all the land within the following limits: Beginning on the Tippecanoe river, where the northern boundary of the tract ceded by the Potawatamies to the United States by the treaty of St. Mary's, in the year of our Lord one thousand eight hundred and eighteen intersects the same; thence, in a direct line, to a point on Eel river, half way between the mouth of the said river and Pierish's village; thence up Eel River, to Seek's village, near the head thereof; thence in a direct line, to the mouth of a creek emptying into the St. Joseph's, of the Miami, near Metea's village; thence up the St. Joseph's, to the boundary line between the states of Indiana and Ohio; thence south to the Miami; thence, up the same, to the reservation at Fort Wayne; thence, with the lines of the said reservation, to the boundary established by the treaty with the Miamies in one thousand eight hundred and eighteen; thence, with the said line, to the Wabash river; thence, with the same river, to the mouth of the Tippecanoe river, and thence with the said Tippecanoe river, to the place of beginning. And the said tribe also cede to the United States, all their right to land within the following limits; beginning at a point upon Lake Michigan, ten miles due north of the southern extreme thereof, running thence, due east, to the land ceded by the Indians to the United States by the treaty of Chicago; thence, south, with the boundary thereof, ten miles; thence west, to the southern extreme of Lake Michigan; thence, with the shore thereof, to the place of beginning.

Lands ceded
to U. States.

Further cession.

Art. 2. As an evidence of the attachment which the Potawatamie tribe feel towards the American people, and particularly to the soil of Indiana, and with a view to demonstrate their liberality, and benefit themselves by creating facilities for travelling and increasing the value of their remaining country, the said tribe do hereby cede to the United States, a strip of land, commencing at Lake Michigan, and running thence on the Wabash river, one hundred feet wide, for a road, and also, one section of good land contiguous to the said road, for each mile of the same, and also for each mile of a road from the termination thereof, through Indianapolis to the Ohio river, for the purpose of making a road aforesaid from Lake Michigan, by the way of Indianapolis, to some convenient point on the Ohio river. And the General Assembly of the state of Indiana shall have a right to locate the said road, and to apply the said sections, or the proceeds thereof, to the making of the same, or any part thereof; and the said grant shall be at their sole disposal.

U. S. agree to pay an annuity of 2,000 dolls. for twenty-two years.

Art. 3. In consideration of the cessions in the first article, the U. States agree to pay to the Potawatamie tribe, an annuity of two thousand dollars in silver, for the term of twenty-two years, and also to provide and support a black-smith for them at some convenient point; to appropriate, for the purposes of education, the annual sum of two thousand dollars, as long as the Congress of the United States may think proper, to be expended as the President may direct; and also, to build for them a mill, sufficient to grind corn, on the Tippacanoe river, and to provide and support a miller; and to pay them annually one hundred and sixty bushels of salt; all of which annuities, herein specified, shall be paid by the Indian Agent at Fort Wayne.

Goods to the value of 30,547 dols. 71 cts. in consideration of the cessions in 1st article.

Art. 4. The Commissioners of the U. States have caused to be delivered to the Potawatamie tribe, goods to the value of thirty thousand five hundred and forty-seven dollars and seventy-one cents of goods, in consideration of the cessions in the first article in this treaty. Now, therefore, it is agreed, that, if this treaty should be ratified by the President and Senate of the United States, the United States shall pay to the persons named in the schedule this day transmitted to the War Department, and signed by the Commissioners, the sums affixed to their names respectively, for goods furnished by them, and amounting to the said sum of thirty thousand five hundred and forty-seven dollars and seventy-one cents, and also, to the persons who may furnish the said further sum, the amount of nine hundred dollars thus furnished. And it is also agreed, that payment for all these goods shall be made by the Potawatamie tribe out of their annuity, if this treaty should not be ratified by the United States.

Art. 5. The Potawatamie tribe being anxious to pay certain claims existing against them, it is agreed, as a part of the consideration for the cessions in the first article, that these claims, which are stated in a schedule this day signed by the Commissioners, and transmitted to the War Department, and amounting to the sum of nine thousand five hundred and seventy-three dollars. U S. agree to pay certain claims amounting to \$9,573.

Art. 6. The United States agree to grant to each of the persons named in the schedule hereunto annexed, the quantity of land therein stipulated to be granted; but the land, so granted, shall never be conveyed by either of the said persons, or their heirs, without the consent of the President of the United States; and it is also understood, that any of these grants may be expunged from the schedule, by the President or Senate of the United States, without affecting any other part of the treaty. U. S. agree to grant to each of the persons named in schedule, the quantity of land stipulated

Art. 7. The Potawatamie Indians shall enjoy the right of hunting upon any part of the land hereby ceded, as long as the same shall remain the property of the United States. Hunting.

Art. 8. The President and Senate of the United States may reject any article of this treaty, except those which relate to the consideration to be paid for the cessions of the land; and such rejection shall not affect any other part of the treaty. President and Senate may reject certain articles.

Art. 9. This treaty, after the same shall be ratified by the President and Senate, shall be binding upon the United States. Treaty to be ratified.

In testimony whereof, the said Lewis Cass, James B. Ray, and John Tipton, Commissioners, as aforesaid, and the Chiefs and Warriors of the said Potawatamie tribe, have hereunto set their hands at the Wabash, on the sixteenth day of October, in the year of our Lord, one thousand eight hundred and twenty-six, and of the Independence of the United States the fifty-first.

LEWIS CASS,
J. BROWN RAY,
JOHN TIPTON.

CHIEFS.

Topenibe,	x	Shaupatee,	x
Gebauss	x	Noshaweka,	x
Toisoe,	x	Menauquet,	x
Metee,	x	Wimeko,	x
Aubenaube,	x	Saukena,	x
Ashkom,	x	Kepeaugun,	x
Penashshecs,	x	Kenomonic,	x
Pecheco,	x	Shokto,	x
Waupaukeeno,	x	Shapeness,	x
Pashpo,	x	Motiel,	x
Kasha,	x	Jekose,	x
Picrishi,	x	Naquoquet,	x
Penamo,	x	Waubonsa,	x
Nasawauka,	x	Wasaushuck	x
Mauxa,	x	Shaaunquebe,	x
Makose,	x	Psakauwa,	x

Kaukaamake,	x	Nauksee,	x
Shekonak,	x	Mukkose,	x
Makassee,	x	Cheekaukkose,	x
No-ne,	x	Louison,	x
Shepshauwano,	z	Meshekaunau,	x
Mesheketeno,	x	Kauk,	x
Squawbuk,	x	Ackkushewa,	x
Maunis,	x	Mukkose,	x
Jequaumkogo,	x	Shaquinon,	x
Kewaune,	x	Waupsee,	x
Ahnowawausa,	x	Menno,	x
Louison,	x	Showaukau,	x
Washeone,	x	Kaukaukshee,	x
Shakauwasee,	x	Pashshepowo,	x
Paskauwesa,	x	Mowekalso,	x

Done in presence of

William Marshall, *Secretary to the Commission*,
 J. M. Ray, *Assistant Secretary to the Commission*,
 John Ewing, *Senator, State of Indiana*,
 Benjamin B. Kercheval, *Sub-Agent*,
 William Conner, *Interpreter*,
 Joseph Barron, *Interpreter*,
 Henry Conner, *Interpreter*,
 Josiah F. Polk,
 Felix Hinchman,
 Isaac M'Coy,
 D. G. Jones,
 Samuel Hanna, *Member of the Legislature*,
 Martin M. Ray, *Member of the Legislature*,
 James Conner, *Interpreter*,
 James Foster,
 James Gregory, *Senator of Indiana*,
 O. L. Clark,
 C. W. Ewing,
 J. D. Dorsey,
 Lewis G. Thompson.

Schedule of grants referred to in the foregoing Treaty.

Land granted
to each of the
following per-
sons by the 6th
article.

To Abraham Burnett, three sections of land; one to be located at and to include Wynemac's village, the centre of the line on the Wabash to be opposite that village, and running up and down the river one mile in a direct line, and back for quantity; the two other sections, commencing at the upper end of the Prairie, opposite the mouth of the Passeanong creek, and running down two miles in a direct line, and back for quantity.

To Nancy Burnett, Rebecca Burnett, James Burnett, and William Burnett, each one section of land, to be located under the direction of the President of the United States; which said Abraham, Nancy, Rebecca and James, are the children, and the said William is the grand child of Kaukeama, the sister of Topenibe, the principal chief of the Potawatamie tribe of Indians.

To Eliza C. Kercheval, one section on the Miami river, commencing at the first place where the road from Fort Wayne to Defiance strikes the Miami on the north side thereof,

about five miles below Fort Wayne, and from that point running half a mile down the river, and half a mile up the river, and back for quantity.

To James Knaggs, son of the sister of Okeos, Chief of the river Huron Potawatamies, one half section of land upon the Miami, where the boundary line between Indiana and Ohio crosses the same.

To the children of Joseph Barron, a relation of Richardville, principal Chief of the Miamies, three sections of land, beginning at the mouth of Eel River, running three miles down the Wabash in a direct line, thence back for quantity.

To Zachariah Cicott, who is married to an Indian woman, one section of land, below and adjoining Abraham Burnett's land, and to be located in the same way.

To Baptiste Cicott, Sophi Cicott, and Emelia Cicott, children of Zachariah Cicott, and an Indian woman, one half section each, adjoining and below the section granted to Zachariah Cicott.

To St. Luke Bertrand and Julia Ann Bertrand, children of Madeline Bertrand, a Potawatamie woman, one section of land, to be located under the direction of the President of the United States.

To the children of Stephen Johnson, killed by the Potawatomie Indians, one half section of land, to be located under the direction of the President of the United States.

To each of the following persons, Indians by birth, and who are now, or have been, scholars in the Carey Mission School, on the St. Joseph's under the direction of the Rev. Isaacs McCoy, one quarter section of land, to be located under the direction of the President of the United States; that is to say: Joseph Bourissa, Noaquett, John Jones, Nuco, Soswa, Manotuk, Betsey Ash, Charles Dick, Susanna Isaacs, Harriet Isaacs, Betsey Plummer, Angelina Isaacs, Jemima Isaacs, Jacob Corbly, Konkapot, Celicia Nimham, Mark Bourissa, Jude Bourissa, Annowussau, Topenipe, Terrez, Sheshko, Louis Wilmett, Mitchel Wilmett, Lezett Wilmett, Esther Baily, Roseann Bailey, Eleanor Baily, Quehkna, William Turner, Chaukenozwoh, Lazarus Bourissa, Achan Bourissa; Achemukquee, Wesauwau, Peter Moose, Ann Sharp, Joseph Wolf, Misnoqua, Pomoqua, Wymego, Cheekch, Wauwossemoqua, Meeksumau, Katautmo, Richard Clements, Louis McNeff, Shoshqua, Nscotenama, Chikawketch, Musheewoh, Saugaroa, Msonkqua, Mnitoqua, Okutcheek, Naumi G. Browning, Antoine, St. Antoine, Mary; being in all fifty-eight.

To Jane Martin and Betsey Martin, of Indian descent, each one section of land, to be located under the direction of the President of the United States.

To Mary St. Combe, of Indian descent, one quarter section

of land, to be located under the direction of the President of the United States.

To Francois Dequindre, of Indian descent, one section of land, to be located under the direction of the President of the United States.

To Baptiste Jutrace, of Indian descent, one half section of land, to be located under the direction of the President of the United States.

To John B. Bourie, of Indian descent, one section of land, to be located on the Miami river, adjoining the old boundary line below Fort Wayne.

To Joseph Parks, an Indian, one section of land, to be located at the point where the boundary line strikes the St. Joseph's, near the Metea's village.

To George Cicott a Chief of the Potawatamies, three sections and a half of land; two sections and a half of which to be located on the Wabash, above the mouth of Crooked creek, running two miles and a half up the river, and back for quantity, and the remaining section at the Falls of Eel river, on both sides thereof.

To James Conner, one section of land; to Henry Conner, one section, and to William Conner one section; beginning opposite the upper end of the Big Island, and running three miles in a direct line down the Wabash, and back for quantity.

To Hyacinth Lassel, two sections of land, to be located under the direction of the President of the United States.

To Louison, a half Potawatamie, two sections of land, to be located under the direction of the President of the United States.

LEWIS CASS,
J. BROWN RAY,
JOHN TIPTON.

October 16th, 1826.

Now, therefore, be it known, that I, John Quincy Adams, President of the United States of America, having seen and considered the said treaty, do, in pursuance of the advice and consent of the Senate, as expressed by their resolution of the twenty-second ultimo, accept, ratify, and confirm the same, with the exception of the following words, in the second article: "And the General Assembly of the State of Indiana shall have a right to locate the said road, and to apply the said sections, or the proceeds thereof, to the making of the same, or any part thereof, and the said grant shall be at their sole disposal;" and with the understanding that the meaning of the fifth article is, that the money therein mentioned shall be paid by the United States to the individuals named in the schedule therein referred to.

In testimony whereof, I have caused the seal of the United States to be hereunto affixed, having signed the same with my hand.

Done at the City of Washington, this seventh day of February, in the year of our Lord one thousand eight hundred and twenty-seven, and of the Independence of the United States the fifty-first.

JOHN QUINCY ADAMS.

By the President :

H. CLAY, *Secretary of State.*

JOHN QUINCY ADAMS,

PRESIDENT OF THE UNITED STATES OF AMERICA,

To all and singular to whom these presents shall come, greeting.

WHEREAS, a treaty between the United States of America and the Patawatamie Indians, was concluded on the 20th day of September, 1828, at the Missionary Establishment, upon the St. Joseph, of Lake Michigan, between Lewis Cass and Pierre Menard, Commissioners on the part of the United States, and certain Chiefs and Warriors, on the part of the said Petawatamie Indians, which Treaty is in the words following, to wit:

Treaty between U. S. and Potawatamie Indians, of 20th September, 1828.

No. 4. Articles of a treaty made and concluded at the Missionary Establishment upon the St. Joseph, of Lake Michigan, in the Territory of Michigan, this 20th day of September, in the year of our Lord one thousand eight hundred and twenty-eight, between Lewis Cass and Pierre Menard, Commissioners on the part of the United States, and the Patawatamie tribe of Indians.

Art. 1. The Potawatamie tribe of Indians cede to the United States the tract of land included within the following boundaries:

Potawatamies cede part of their lands.

1. Beginning at the mouth of the St. Joseph, of Lake Michigan, and thence running up the said river to a point on the same river, half way between La-vache-qui-pisse and Macousin village; thence in a direct line, to the 19th mile tree, on the northern boundary line of the State of Indiana thence with the same, west, to Lake Michigan; and thence, with the shore of the said Lake, to the place of beginning.

2. Beginning at a point on the line run in 1817, due east from the southern extreme of Lake Michigan, which point is due south from the head of the most easterly branch of the Kankekee river, and from that point running south ten miles thence in a direct line, to the northeast corner of Flatbelly's reservation; thence to the northwest corner of the reservation at Seek's village; thence with the lines of the said reservation, and of former cessions, to the line between the States of Indiana and Ohio; thence with the same to the former described line, running due east from the southern extreme of Lake

Michigan; and thence with the said line, to the place of beginning.

U. S. to pay certain annuities in money and goods.

Art. 2. In consideration of the cessions afore-said, there shall be paid to the said tribe an additional permanent annuity of two thousand dollars; and also an additional annuity of one thousand dollars, for the term of twenty years; goods to the value of thirty thousand dollars, shall be given to the said tribe, either immediately after signing this treaty, or as soon thereafter as they can be procured; an additional sum of ten thousand dollars, in goods, and another of five thousand dollars, in specie, shall be paid to them in the year 1829.

\$7,500 for the Indians, in improvements on their land, purchase, &c.

The sum of seven thousand five hundred dollars shall be expended for the said tribe, under the direction of the President of the United States, in clearing and fencing land, erecting houses, purchasing domestic animals and farming utensils, and in the support of laborers to work for them.

Annual allowance of tobacco, &c.

Two thousand pounds of tobacco, fifteen hundred weight of iron, and three hundred and fifty pounds of steel, shall be annually delivered to them.

Education.

One thousand dollars per annum shall be applied for the purposes of education, as long as Congress may think the appropriation may be useful.

Allowance to principal chief.

One hundred dollars, in goods, shall be annually paid to Topen-i-be-the, principal chief of the said tribe, during his natural life. The blacksmith, stipulated by the treaty of Chicago to be provided for the term of fifteen years, shall be permanently supported by the United States.

Blacksmith to be furnished.

Laborers to be provided.

Three laborers shall be provided, during four months of the year, for ten years, to work for the band living upon the reservation South of the St. Joseph.

Grant of land to individual Indians.

Art. 3. There shall be granted to the following persons, all of whom are Indians by descent, the tracts of land hereafter mentioned, which shall be located upon the second cession above described, where the President of the United States may direct, after the country may be surveyed, and to correspond with the surveys, provided that no location shall be made upon the Elkheart Prairie, nor within five miles of the same; nor shall the tracts there granted be conveyed by the grantees, without the consent of the President of the United States.

To Sah-ne-mo-quay, wife of Jean B. Dutrist, one half section of land.

To Way-pe-nah-te-mo-quay, wife of Thomas Robb, one-half section of land.

To Me-no-ka-mick-quay, wife of Edward M'Carty, one half section of land.

To Ship-pe-shick-quay, wife of James Wyman, one half section of land.

To Assapo, wife of Antoine Gamlin, one half section of land.

To Moahquay, wife of Richard Chabert, one half section of land.

To Me-shaw-ke-to-quay, wife of George Cicot, two sections of land.

To Mary Prejean, wife of Louis St. Combe, one section of land.

To To-pe-naw-koung, wife of Peter Langlois, one section of land.

To Au-bee-nan-bee, a Potawatamie chief, two sections of land.

To Me-che-hee, wife of Charles Minie, a half section of land.

To Louison, a Potawatamie, a reservation of one section, to include his house and cornfield.

To Kes-he-wa-quay, wife Pierre F. Navarre, one section of land.

To Benack, a Potawatamie, one section of land.

To Pe-pe-ne-way, a chief, one section of land.

To Pierre Le Clair, one section of land.

To Joseph Barron, a white man who has long lived with the Indians, and to whom they are much attached, two sections of land; but the rejection of this grant is not to affect any other parts of the treaty.

To Betsey Ducharme, one half-section of land. The section of land granted by the treaty of Chicago to Nancy Burnett, now Nancy Davis, shall be purchased by the United States, if the same can be done for the sum of one thousand dollars.

To Madeline Bertrand, wife of Joseph Bertrand, one section of land.

Art. 4. The sum of ten thousand eight hundred and ninety-five dollars shall be applied to the payments of certain claims against the Indians, agreeably to a schedule of the said claims hereunto annexed. \$10,895 to be applied to payment of claims

Art. 5. Circumstances rendering it probable that the missionary establishment now located upon the St. Joseph, may be compelled to remove west of the Mississippi, it is agreed that when they remove, the value of their buildings and other improvements shall be estimated, and the amount paid by the United States. But, as the location is on the Indian reservation, the Commissioners are unwilling to assume the responsibility of making this provision absolute, and therefore its rejection is not to affect any other part of the treaty. In case of removal of missionary establishment U. S. to pay value of their improvements

Art. 6. This treaty shall be obligatory, after the same has been ratified by the President and Senate of the United States. Treaty to be ratified.

In testimony whereof, the Commissioners, and the Chiefs and Warriors of the said tribe, have hereunto set their hands, at the place, and upon the day aforesaid.

LEWIS CASS,
PIERRE MENARD.

Signed in the presence of

Alex. Wolcott, *Indian Agent*,
 John Tipton, *Indian Agent*,
 Charles Noble, *Secretary to the Commissioners*,
 A. Edwards, *President of the Legislative Council*,
 R. A. Forsyth,
 D. G. Jones,
 Walter Wilson, *Maj. Gen. Indiana Militia*,
 Calvin Britain,
 E. Reed.

To-pen-e-bee,	x	O-kee-au,	x
A-bee-na-bee,	x	Nau-kee-o-nuck,	x
Po-ka-gon,	x	Me-she-ken-ho,	x
Ship-she-wa-non,	x	Non-ai,	x
Quai-quai-ta,	x	Wa-shais-skuck,	x
Mixs-a-be,	x	Pai-que-sha-bai,	x
Mo-sack,	x	Mix-a-mans,	x
Wa-ban-see,	x	Me-tai-was,	x
Pe-nan-shies,	x	Mis-qua-buck,	x
Mish-ko-she,	x	A-bee-tu-que-zuck,	x
Moran,	x	Kee-ai-so-qua,	x
Shaw-wa-nan-see,	x	A-bee-tai.que-zuek,	x
Mank-see,	x	Wau-shus-kee-zuek,	x
Shee-qua,	x	Kee-kee-wee-nus-ka,	x
Ash-kum,	x	Niehec-poo-sick,	x
Louison,	x	Wai-sai-ka,	x
Che-chalk-koos,	x	Mee-quen,	x
Pee-pee-nai-wa,	x	Num-quai-twa,	x
Moe-eonse,	x	Mee-kee-sis,	x
Kaush-quaw,	x	Sans-gen-ai,	x
Sko-mans,	x	Wish-kai,	x
Au-tiss,	x	She-sha-gon,	x
Me-non-quet,	x	Pee-pee-au,	x
Sack-a-mana,	x	O-tuck-quin,	x
Kin-ne-kose,	x	Moo-koos,	x
No-shai-e-quon,	x	Louison,	x
Pe-tee-nams,	x	Pchee-koo,	x
Jo-siah,	x	Sha-wai-no-kuck,	x
Mo-teille,	x	Zo-zai,	x
Wa-pee-kai-non,	x	Wai-za-we-shuck,	x
Paek-quin,	x	Me-chee-pee-nai-she-insh,	x
Pash-po-oo,	x	Com-o-zoo,	x
Mans-kee-os,	x	Je-bause,	x
Wash-e-on-ause,	x	Le-Bœuf,	x
Pee-shee-wai,	x		

Payment in,
 goods stipula-
 ted for 1829,
 anticipated.

After the signature of the treaty, and at the request of the Indians, it was agreed, that of the ten thousand dollars stipulated to be delivered in goods, in 1829, three thousand dollars shall be delivered immediately, leaving seven thousand dollars in goods to be delivered in 1829.

Location of
 two of the
 grants.

The reservation of Pe. Langlois' wife to be located upon the north side of Eel river, between Peerish's village and Louison's reservation.

The reservation of Betsey Ducharme to be located at Louison's run.

LEWIS CASS,
 PIERRE MENARD.

Now, therefore, be it known, that I, John Quincy Adams, President of the United States of America, having seen and considered said treaty, do, in pursuance of the advice and consent of the Senate, as expressed in their resolution of the 5th instant, accept, ratify, and confirm the same. and every clause and article thereof, with the exception of the following paragraph in the third article: "To Joseph Barron, a white man, who has long lived with the Indians, and to whom they are much attached, two sections of land; but the rejection of this grant is not to affect any other part of the treaty."

Ratification.

Article excluded.

In testimony whereof, I have caused the seal of the United States to be hereunto affixed, having signed the same with my hand.

Done at the City of Washington, this seventh day of January, A. D. 1829, and of the Independence of the United States, the fifty-third.

JOHN QUINCY ADAMS.

By the President:

H. CLAY,

Secretary of State.

№. 5. A TREATY BETWEEN THE UNITED STATES AND THE POTAWATAMIE TRIBE OF INDIANS.

In order to consolidate some of the dispersed bands of the Potawatamie tribe in the Territory of Michigan at a point removed from the road leading from Detroit to Chicago, and as far as practicable from the settlements of the Whites, it is agreed that the following tracts of land, heretofore reserved for the use of the said tribe, shall be, and they are hereby, ceded to the United States.

Object.

Cession by the Indians.

Two sections of land on the river Rouge at Seginsairn's village.

Two sections of land at Tonguish's village, near the river Rouge.

That part of the reservation at Macon on the river Raisin, which yet belongs to the said tribe, containing six sections, excepting therefrom one half of a section where the Potawatamie Chief Moran resides, which shall be reserved for his use.

One tract at Mang-ach-quá village, on the river Peble, of six miles square.

One tract at Mickesawbe, of six miles square.

One tract at the village of Prairie Ronde, of three miles square.

One tract at the village of Match-e-be-nash-she-wish, at the head of the Kekalamazoo river, of three miles square, which

tracts contain in the whole ninety-nine sections and one half section of land.

And in consideration of the preceding cession, there shall be reserved for the use of the said tribe, to be held upon the same terms on which Indian reservations are usually held, the following tracts of land.

Sections numbered five, six, seven and eight, in the fifth township, south of the base line, and in the ninth range west of the principal meridian in the Territory of Michigan.

The whole of the fifth township, south, in the tenth range, west, not already included in the Nottawa Sape reservation.

Sections numbered one, two, eleven, twelve, thirteen, fourteen, twenty-three, twenty-four, twenty-five, twenty-six, thirty-five, and thirty-six, in the fifth township, south, and eleventh range, west.

The whole of the fourth township, south, in the ninth range west.

Sections numbered eight, seventeen, eighteen, nineteen, twenty, twenty-nine, thirty, thirty-one and thirty-two, in the fourth township, south, and ninth range, west.

Sections numbered one, two, eleven, twelve, thirteen, fourteen, twenty-three, twenty-four, twenty-five, twenty-six, thirty-five and thirty-six, in the fourth township, south, and eleventh range, west.

Which tracts of land will form a continuous reservation, and contain ninety-nine sections.

Treaty to be
obligatory
when ratified
by U. S.

After this treaty shall be ratified by the President and Senate, the same shall be obligatory on the United States and the said tribe of Indians.

In testimony whereof, Lewis Cass, Commissioner on the part of the United States, and the Chiefs and Warriors of the said tribe, have hereunto set their hands at St. Joseph, in the Territory of Michigan, this nineteenth day of September, A. D. one thousand eight hundred and twenty-seven.

LEWIS CASS.

Mixs-a-be	their x marks	Ma-tsai-bat-to,	x
Shee-ko-maig, or marsh fish	x	Ne-kee-quin-nish-ka,	x
Pee-nai-sheish, or little bird	x	Wa-hai-she-maus,	x
Kee-o-suck-o-wah	x	Peerish-Morain,	x
Mais-ko-see	x	Mee-she-pe-she-wa-non,	x
A-bee-ta-que-zic, or half day	x	O-tuck-quen,	x
Ko-jai-waince	x	Que-quan,	x
Sa-kec-maus	x	Wai-sai-gau,	x
Mitch-e-pe-nain-she-wish, or		O-kee-yau,	x
bad bird	x	Me-shai-wais,	x

In presence of

John L. Leib,
R. A. Forsyth,
Benj. B. Kercheval,
Isaac M'Coy,

G. W. Siliman,
James J. Godfrey,
Joseph Bertrand,
T. T. Smith.

Ratified, 23d of February, 1829.

Treaty with the Creeks.

[FURTHER SUPPLEMENTARY TO CHAP. 8.—ANTE P. 190 & 371.]

No. 10. Articles of agreement made and concluded at the Creek Agency, on the fifteenth day of November, one thousand eight hundred and twenty-seven, between Thomas L. McKenney, and John Crowell, in behalf of the United States, of the one part, and LITTLE PRINCE and others, Chief and Head Men of the Creek Nation, of the other part.

Whereas, a Treaty of cession was concluded at Washington City in the District of Columbia, by James Barbour, Secretary of War, on the one part; and Opothleoholo, John Stidham, and others, of the other part, and which treaty bears date the twenty-fourth day of January, one thousand eight hundred and twenty-six; and whereas, the object of said treaty being to embrace a cession by the Creek Nation, of all the lands owned by them within the chartered limits of Georgia, and it having been the opinion of the parties, at the time when said treaty was concluded, that all, or nearly all of said lands were embraced in said cession, and by the lines as defined in said treaty, and the supplemental article thereto: and whereas it having been since ascertained that the said lines in said treaty, and the supplement thereto, do not embrace all the lands owned by the Creek nation within the chartered limits of Georgia, and the President of the United States having urged the Creek Nation further to extend the limits as defined in the treaty aforesaid, and the Chiefs and head men of the Creek nation being desirous of complying with the wish of the President of the United States, therefore, they, the Chiefs and head men aforesaid, agree to cede, and they do hereby cede to the United States, all the remaining lands now owned or claimed by the Creek nation, not heretofore ceded, and which, on actual survey, may be found to lie within the chartered limits of the State of Georgia.

In consideration whereof, and in full compensation for the above cession, the undersigned, Thomas L. McKenney and John Crowell, in behalf of the United States, do hereby agree to pay to the Chiefs and head men of the Creek nation aforesaid, as soon as may be after the approval and ratification of this agreement, in the usual forms, by the President and Senate of the United States, and its sanction by a council of the Creek nation, to be immediately convened for the purpose, or by the subscription of such names, in addition to those subscribed to this instrument, of Chiefs and head men of the na-

Object of said treaty.

U. S. agree
pay them
\$27,491.

Further agreement.

tion, as shall constitute in the act of the Creek Nation—the sum of twenty-seven thousand four hundred and ninety-one dollars.

It is further agreed by the parties hereto, in behalf of the United States, to allow, on account of the cession herein made the additional sum of fifteen thousand dollars, it being the understanding of both the parties, that five thousand dollars of this sum shall be applied, under the direction of the President of the United States, towards the education and support of Creek children at the school in Kentucky, known by the title of the "*Choctaw Academy*," and under the existing regulations; also, one thousand dollars towards the support of the Withington, and one thousand dollars towards the support of the Asbury stations, so called, both being schools in the Creek Nation, and under regulations of the Department of War; two thousand dollars for the erection of four horse mills, to be suitably located under the direction of the President of the United States; one thousand dollars to be applied to the purchase of cards and wheels, for the use of the Creeks, and the remaining five thousand dollars, it is agreed, shall be paid in blankets and other necessary and useful goods, immediately after the signing and delivery of these presents.

In witness whereof, the parties have hereunto set their hands and seals this fifteenth day of November, one thousand eight hundred and twenty-seven.

THOMAS L. M·KENNEY,
JOHN CROWELL,

[L. s.]

[L. s.]

Little Prince,
Epau-emathla,
Tin-pouchoc Burnard,
Hathlan Haujo,
Oke-jooke Yau-holo,
Cassataw Mico,

x
x
x
x
x
x

In presence of

Luther Blake, *Secretary*,
Andrew Hamill,
Whitman C. Hill,
Thomas Crowell.

Whereas the above articles of agreement and cession were entered into at the Creek Agency on the day and date therein mentioned, between the Little Prince, the head man of the nation, and five other Chiefs, and Thomas L. M·Kenney and John Crowell Commissioners on the part of the United States, for the cession of all the lands owned or claimed by the Creek nation, and not heretofore ceded, and which on actual survey, may be found to lie within the chartered limits of the State of Georgia, and which said agreement was made subject to the approval and ratification by the President and Senate of the

United States, and the approval and sanction of the Creek nation, in General Council of the said nation.

Now these presents witnesseth, that we, the undersigned, Chiefs and head men of the Creek nation in General Council convened, at *Wetumph*, the third day of January, one thousand eight hundred and twenty-eight, have agreed and stipulated with John Crowell, Commissioner on the part of the United States, for and in consideration of the additional sum of five thousand dollars, to be paid to us in blankets, and other necessary articles of clothing, immediately after the signing and sealing of these presents, to sanction, and by these presents do hereby approve, sanction, and ratify, the above mentioned and foregoing articles of agreement and cession.

In witness whereof, the parties have hereunto set their hand and seals, the day and date above mentioned.

JOHN CROWELL, [L. s.]

Broken Arrow Town,		Halchuchubb Town,	
Little Prince,	x	Coosa Micco,	x
Tuskugu,	x	Tuskahatche Hayre,	x
Cotehe Hayre,	x	We-kiwa Town,	
Casetau Town,		Charlo Hargo,	x
Tukchenaw,	x	Hallatta Tustinuggu,	x
Epi Emarla,	x	Tuckabatchu Town,	
Oakpushu Yoholo,	x	Tustmuggu Thlucco, <i>by proxy</i> ,	
Cowetau Town,		Micco Paccali,	x
Neah Thlucco,	x	Tuckahatche Micco,	x
Arthlau Hayre,	x	Arcliu Oacuc Emently	x
Cowetaw Micco,	x	Clewalla Town,	
Oswichu Town,		Tustinugga Ementla,	x
Halatta Tustinuggu,	x	Tuskabachu Fixico,	x
Octatchu Emarla,	x	Latla Micco,	x
Charles Emarla,	x	Upper Eufalla Town,	
Uchee Town,		Tustinik Cochocone,	x
Timpoeche Barned	x	Hollatta Fixico,	x
Uhec Tustinuggu,	x	Oakpuskee Town,	
William Barnard,	x	Tuskugu Hayo,	x
Hitchetee Town,		Ementla,	x
Neah Emarla,	x	Tallasee Town,	
Hitchelu Emarda,	x	Chosh Harge,	x
Car Emarla,	x	Archieco Town,	
Che-anhun Town,		Harpaie Fixico,	x
Tuskehemau,	x	Cametau Tuskehenau,	x
Oabe Tustinuggu,	x	Tallesee Hatchu Town,	
Liteff Hargo,	x	Oakpuske Yoholo,	x
Tallawa Thlucco Town,		Latta Hayre,	x
Micco,	x	Quaasada Town,	
Ementla Thlucco,	x	Tustinuggu Chopco,	x
Neah Thlucco,	x	Nocosu Ementla,	x
Suoculo Town,		Micco Hayre,	x
John Stedham,	x	Tuskugu Town,	
Neah Micco,	x	Osa Hayo,	x
Neah Thlucco Yoholo,	x	Osaw Hayo,	x
Ufala Town,		Tomasa Town,	
Tnshatche Emarla,	x	Colitchu Ementla,	x
Tustinugga Harge,	x	Chawaccollo Hatcho Town,	

Capitche Tustinugga,
Oakete-ac-stuce Town,
Tuskeheueau,

x

x

Coe E. Hayo,
Powas Yoholo,
Ema Hayre,

x

x

x

In presence of—

Luther Blake, *Secretary.*

Andrew Hamill,

Enoch Johnson,

Thomas Crowell,

Benjamin Marshall,

Paddy Carr,

Joseph Marshall,

John Winslett.

} *Interpreters,*

Ratified, 4th of March, 1828.

Treaty with the Cherokees (of Arkansas.)

[SUPPLEMENTARY TO CHAP. 4.—ANTE PAGE 112.]

JOHN QUINCY ADAMS,

PRESIDENT OF THE UNITED STATES OF AMERICA.

To all and singular to whom these presents shall come, greeting:

Treaty with
the Cherokee
Indians west
of the Missis-
sippi, of 6th
May, 1828.

Whereas a treaty between the United States of America and the Cherokee nation of Indians, west of the Mississippi, was made and concluded at the city of Washington, on the sixth day of May, in the year of our Lord one thousand eight hundred and twenty-eight, by James Barbour, Secretary of War, being specially authorized therefor by the President of the United States, and certain Chiefs and Head men of the said nation of Indians, on the part, and in behalf of, said nation; which treaty is in the words following, to wit:

No. 15. Articles of a Convention, concluded at the City of Washington this sixth day of May, in the year of our Lord, one thousand eight hundred and twenty-eight, between James Barbour, Secretary of War, being especially authorised therefor by the President of the United States, and the undersigned, Chiefs and Head Men of the Cherokee Nation of Indians, west of the Mississippi, they being duly authorised and empowered by their Nation.

Object of said
Treaty.

Whereas, it being the anxious desire of the Government of the United States to secure to the Cherokee nation of Indians, as well as those now living within the limits of the Territory of Arkansas, as those of their friends and brothers who reside in states east of the Mississippi, and who may wish to join their brothers of the west *a permanent* home, and which shall under the most solemn guarantee of the United States, be, and remain theirs forever—a home that shall never, in all future time, be embarrassed by having extended around it the lines, or placed over it the jurisdiction of a territory or state, nor be pressed upon by the extension, in any way, of any of the limits of any existing territory or state; and, whereas, the pre-

sent location of the Cherokees in Arkansas being unfavourable to their present repose, and tending, as the past demonstrates, to their future degradation and misery; and the Cherokees being anxious to avoid such consequences, and yet not questioning their right to their lands in Arkansas, as secured to them by treaty, and resting also upon the pledges given them by the President of the United States, and the Secretary of War, of March, 1818, and 8th October, 1821, in regard to the outlet to the west, and as may be seen on referring to the records of the War Department, still being anxious to secure a permanent home, and to free themselves and their posterity, from an embarrassing connexion with the Territory of Arkansas, and guard themselves from such connexions in future; and, whereas, it being important, not to the Cherokees only, but also to the Choctaws; and in regard also to the question which may be agitated in the future respecting the location of the latter, as well as the former, within the limits of the Territory or State of Arkansas, as the case may be, and their removal therefrom; and to avoid the cost which may attend negotiations to rid the Territory or State of Arkansas whenever it may become a state, of either, or both of those tribes, the parties hereto do hereby conclude the following articles, viz:

Art. 1. The western boundary of Arkansas shall be, and the same is hereby defined, viz: A line shall be run, commencing on Red River, at the point where the eastern Choctaw line strikes said river, and run due north with said line to the river Arkansas, thence in a direct line to the south west corner of Missouri.

Western
boundary of
Arkansas shall
be defined, &c.

Art. 2. The United States agree to possess the Cherokees, and to guarantee it to them forever, and that guarantee is hereby solemnly pledged, of seven millions of acres of land, to be bounded as follows, viz: Commencing at that point on Arkansas river where the eastern Choctaw boundary line strikes said river, and running thence with the western line of Arkansas, as defined in the foregoing article, to the south west corner of Missouri, and thence with the western boundary line of Missouri till it crosses the waters of Neasho, generally called Grand River, thence due west to a point from which a due south course will strike the present north west corner of Arkansas Territory, thence continuing due south, on and with the present western boundary line of the Territory to the main branch of the Arkansas river, thence down said river to its junction with the Canadian river, and thence up and between the said rivers Arkansas and Canadian, to a point at which a line running north and south from river to river, will give the aforesaid seven millions of acres. In addition to the seven millions of acres thus provided for, and bounded, the United States further guarantee to the Cherokee Nation

U. S. agree to
possess the
Cherokees,
and to guaran-
tee it to them
forever.

a perpetual outlet, west, and a free and unmolested use of all the country lying west of the western boundary of the above described limits, and as far west as the sovereignty of the United States, and their right of soil extend.

U. S. agree to have the lines of the above cession run without delay.

Art. 3. The United States agree to have the lines of the above cession run without delay, say not later than the first of October next, and to remove, immediately after the running of the eastern line, from the Arkansas river to the south west corner of Missouri, all white persons from the west to the east of said line, and also all others, should there be any there, who may be unacceptable to the Cherokees, so that no obstacles arising out of the presence of a white population, or a population of any other sort, shall exist to annoy the Cherokees—and also to keep all such from the west of said line in future.

U. S. agree to appoint suitable persons in conjunction with the agent, to value all improvements.

Art. 4. The United States moreover agree to appoint suitable persons whose duty it shall be, in conjunction with the Agent, to value all such improvements as the Cherokees may abandon in their removal from their present homes to the district of country as ceded in the second article of this agreement, and to pay for the same immediately after the assessment is made, and the amount ascertained. It is further agreed, that the property and improvements connected with the agency, shall be sold under the direction of the agent, and the proceeds of the same applied to aid in the erection, in the country to which the Cherokees are going, of a Grist and Saw Mill, for their use. The aforesaid property and improvements are thus defined: Commence at the Arkansas river opposite William Stinnets, and run due north one mile, thence due east to a point from which a due south line to the Arkansas river, would include the Chalybeate; or Mineral Spring, attached to or near the present residence of the agent, and thence up said river (Arkansas) to the place of beginning.

Further agreement.

Art. 5. It is further agreed, that the United States, in consideration of the inconvenience and trouble attending the removal, and on account of the reduced value of a great portion of the lands herein ceded to the Cherokees, as compared with that of those in Arkansas which were made theirs by the treaty in 1817, and convention of 1819, will pay to the Cherokees, immediately after their removal which shall be within fourteen months of the date of this agreement, the sum of fifty thousand dollars; also an annuity, for three years, of two thousand dollars, towards defraying the cost and trouble which may attend upon going after and recovering their stock which may stray into the Territory in quest of the pastures from which they may be driven—also, eight thousand seven hundred and sixty dollars, for spoliations committed on them, (the Cherokees,) which sum will be in full of all demands of the

the kind up to this date, as well those against the Osages, as those against citizens of the United States—this being the amount of the claims for said spoliations, as rendered by the Cherokees, and which are believed to be correctly and fairly stated.—Also, one thousand two hundred dollars for the use of Thomas Graves, a Cherokee Chief, for losses sustained in his property, and for personal suffering endured by him when confined as a prisoner, on a criminal, but false accusation; also, five hundred dollars for the use of George Guess, another Cherokee, for the great benefits he has conferred upon the Cherokee people, in the beneficial results which they are now experiencing from the use of the Alphabet discovered by him, to whom also, in consideration of his relinquishing a valuable saline, the privilege is hereby given to locate and occupy another saline on Lee's Creek. It is further agreed by the United States, to pay two thousand dollars, annually, to the Cherokees, for ten years, to be expended under the direction of the President of the United States in the education of their children, in their own country, in letters and the mechanic arts; also, one thousand dollars towards the purchase of a printing press and types to aid the Cherokees in the progress of education, and to benefit and enlighten them as a people, in their own, and our language. It is agreed further, that the expense incurred other than that paid by the United States in the erection of the buildings and improvements, so far as that may have been paid by the benevolent society who have been, and yet are, engaged in instructing the Cherokee children, shall be paid to the society, it being the understanding that the amount shall be expended in the erection of other buildings and improvements, for like purposes, in the country herein ceded to the Cherokees. The United States relinquish their claim due by the Cherokees to the late United States Factory, provided the same does not exceed three thousand five hundred dollars.

Art. 6. It is moreover agreed, by the United States, whenever the Cherokees may desire it, to give them a set of plain laws, suited to their condition—also, when they may wish to lay off their lands, and own them individually, a surveyor shall be sent to make the surveys at the cost of the United States.

Art. 7. The Chiefs and Head Men of the Cherokee Nation, aforesaid, for and in consideration of the foregoing stipulations and provisions, do hereby agree, in the name and behalf of their nation, to give up, and they do hereby surrender, to the United States, and agree to leave the same within fourteen months, as herein before stipulated, all the lands to which they are entitled in Arkansas, and which were secured to them by the treaty of 8th January, 1817, and the convention of the 27th February, 1819.

Further r
agreement.

The chiefs,
&c. agree to
give up the
lands to which
they are enti-
tled in Arkan-
sas, by treaty
of 8th Janua-
ry, 1827, &c.

Cost of emigration, &c. to be borne by the U. S.

Art. 8. The Cherokee Nation, west of the Mississippi having, by this agreement, freed themselves from the harrassing and ruinous effects consequent upon a location amidst a white population, and secured to themselves and their posterity, under the solemn sanction of the guarantee of the United States, as contained in this agreement, a large extent of unembarrassed country; and that their brothers yet remaining in the States may be induced to join them and enjoy the repose and blessings of such a state in the future, it is further agreed, on the part of the United States, that to each head of a Cherokee family now residing within the chartered limits of Georgia, or either of the States, east of the Mississippi, who may desire to remove west, shall be given, on enrolling himself for emigration, a good rifle, a blanket, and kettle, and five pounds of tobacco: (and to each member of his family one blanket,) also, a just compensation for the property he may abandon, to be assessed by persons to be appointed by the President of the United States. The cost of the emigration of all such shall also be borne by the United States, and good and suitable ways opened, and provisions procured for their comfort, accommodation, and support, by the way, and provisions for twelve months after their arrival at the Agency; and to each person, or head of a family, if he take along with him four persons, shall be paid immediately on his arriving at the Agency and reporting himself and his family, or followers, as emigrants and permanent settlers, in addition to the above, *provided he and they shall have emigrated from within the chartered limits of the State of Georgia*, the sum of fifty dollars, and this sum in proportion to any greater or less number that may accompany him from within the aforesaid chartered limits of the State of Georgia.

A certain tract of land to be reserved for the benefit of the U. S.

Art. 9. It is understood and agreed by the parties to this convention, that a tract of land, two miles wide and six miles long, shall be, and the same is hereby, reserved for the use and benefit of the United States, for the accommodation of the military force which is now, or which may hereafter be, stationed at Fort Gibson, on the Neasho, or Grand river, to commence on said river half a mile below the aforesaid Fort, and to run thence due east two miles, thence northwardly six miles, to a point which shall be two miles distant from the river aforesaid, thence due west to the said river, and down it to the place of beginning. And the Cherokees agree that the United States shall have and possess the right of establishing a road through their country for the purpose of having a free and unmolested way to and from said fort.

Capt. James Rogers to be paid in full for

Art. 10. It is agreed that Captain James Rogers, in consideration of his having lost a horse in the service of the United States, and for services rendered by him to the United States,

shall be paid, in full for the above, and all other claims for losses and services, the sum of five hundred dollars. property lost
in the service
of the U. S.

Art. 11. This treaty to be binding on the contracting parties so soon as it is ratified by the President of the United States, by and with the advice and consent of the Senate.

Done at the place, and on the day and year aboven written.

JAMES BARBOUR, [l. s.]

Chiefs of the Delegation:

Black Fox, his x mark,	[l. s.]
Thomas Graves, his x mark,	[l. s.]
* George Guess,	[l. s.]
* Thomas Maw,	[l. s.]
* George Marvis,	[l. s.]
* John Looney,	[l. s.]
John Rogers,	[l. s.]
J. W. Flawey, <i>Counsellor of Del.</i>	[l. s.]

Witnesses:

Thomas L. M'Kenney,
James Rogers, *Interpreter*,
D. Kurtz,
H. Miller,
Thomas Murray,
D. Brown, *Secretary Cherokee Delegation*,
Pierye Pierya,
E. W. Duval, *U. S. Agent, &c.*

Now, therefore, be it known, that I, John Quincy Adams, President of the United States of America, having seen and considered the said treaty, do, in pursuance of the advice and consent of the Senate, as expressed by their resolution of the twenty-third instant, accept, ratify, and confirm the same, and every clause and article thereof, with the following Proviso:

"Provided, nevertheless, that the said convention shall not be so construed as to extend the northern boundary of the 'perpetual outlet west,' provided for and guaranteed in the second article of said convention, north of the thirty-sixth degree of north latitude, or so as to interfere with the lands assigned, or to be assigned, west of the Mississippi river, to the Creek Indians who have emigrated, or may emigrate from the states of Georgia and Alabama, under the provisions of any treaty or treaties heretofore concluded between the United States and the Creek tribe of Indians; and provided further, That nothing in the said convention shall be construed to cede or assign to the Cherokees any lands heretofore ceded or assigned to any tribe or tribes of Indians, by any treaty now existing and in force, with any such tribe or tribes."

In testimony whereof, I have caused the seal of the United States to be hereunto affixed, having signed the same with my hand.

* Written by the signers in their language, and in the characters now in use among them, as discovered by George Guess.

Done at the city of Washington, this twenty-eight day of May, in the year of our Lord one thousand eight hundred and twenty-eight, and of the Independence of the United States the fifty-second.

JOHN QUINCY ADAMS.

By the President :

H. CLAY, *Secretary of State.*

DEPARTMENT OF WAR,

31st May, 1828.

To the Hon. HENRY CLAY,

Secretary of State :

SIR, I have the honor to transmit, herewith, the acceptance of the terms, by the Cherokees, upon which the recent convention with them was ratified. You will have the goodness to cause the same to be attached to the treaty, and published with it.

I have the honor to be, very respectfully, your obedient servant,

SAM'L L. SOUTHARD.

COUNCIL ROOM, WILLIAMSON'S HOTEL,

Washington, May 31st, 1828.

To the SECRETARY OF WAR,

Washington City :

SIR, The undersigned, chiefs of the Cherokee Nation, west of the Mississippi, for and in behalf of said Nation, hereby agree to, and accept of, the terms upon which the Senate of the United States ratified the convention, concluded at Washington on the sixth day of May, 1828, between the United States and said Nation.

In testimony whereof, they hereunto subscribe their names and affix their seals.

Thomas Graves,	his x mark,	[l. s.]
George Maw,	his x mark,	[l. s.]
George Guess,	his x mark,	[l. s.]
Thomas Marvis,	his x mark,	[l. s.]
John Rogers,		[l. s.]

Signed and Sealed in the
presence of }

Thomas Murray,
James Rogers, *Interpreter,*
E. W. Duval, *U. S. Agent, &c.*

1 *Treaties with the different Indian Tribes.*

[FURTHER SUPPLEMENTARY TO CHAP. 3.—ANTE P. 41 & 363.]

No. 22. Treaty with the Winnebago tribe, and the United tribes of Potawatamie, Chippewa, and Ottawa Indians, negotiated at Green Bay, in the territory of Michigan, by Lewis Cass and Pierre Menard.

The Government of the United States having appointed Commissioners to treat with the Sac, Fox, Winnebago, Potawatamie, Ottawa, and Chippewa, tribes of Indians, for the purpose of extinguishing their title to land within the state of Illinois, and the territory of Michigan, situated between the Illinois river, and the Lead mines on Fever river, and in the vicinity of said Lead Mines, and for other purposes; and it having been found impracticable, in consequence of the lateness of the period when the instructions were issued, the extent of the country occupied by the Indians, and their dispersed situation, to convene them in sufficient numbers to justify a cession of land on their part; and the Chiefs of the Winnebago tribe, and of the United tribes of the Potawatamies, Chippewas, and Ottawas, assembled at Green Bay, having declined at this time to make the desired cession, the following temporary arrangement, subject to the ratification of the President and Senate of the United States, has this day been made, between Lewis Cass and Pierre Menard, Commissioners of the United States, and the said Winnebago tribe, and the United tribes of Potawatamie, Chippewa, and Ottawa Indians, in order to remove the difficulties which have arisen in consequence of the occupation, by white persons, of that part of the mining country which has not been heretofore ceded to the United States.

Art. 1. It is agreed that the following shall be the provisional boundary between the lands of the United States and those of the said Indians: The Ouisconsin river, from its mouth to its nearest approach to the Blue Mounds; thence southerly, passing east of the said mounds, to the head of that branch of the Pocatolaka creek which runs near the Spotted Arms's village; thence with the said branch to the main forks of Pocatolaka creek; thence southeasterly to the ridge dividing the Winnebago country from that of the Potawatamie, Chippewa, and Ottawa tribes; thence southerly, with the said ridge, to the line running from Chicago to the Mississippi, near Rock Island. And it is fully understood, that the United States may freely occupy the country between these boundaries and the Mississippi river, until a treaty shall be held with the Indians for its cession; which treaty it is presumed, will be held in the year 1829. But it is expressly understood and agreed, that if any white persons shall cross the line herein described, and pass into the Indian country, for the purpose of mining, or for any other purpose whatever, the Indians shall

U. S. Commissioners to extinguish Indian title to land in Illinois and Michigan &c.—temporary arrangement made with Winnebago tribe, and United tribes of Potawatamie, Chippewa, and Ottawa Indians.

Provisional boundary between lands of U. S. and those of the Indians.

U. S. to occupy country between these boundaries and Mississippi river.

Compensation
to be made at
treaty for in-
juries commit-
ted.

Ferries to be
established
over Rock
river.

U. S. to pay
to the Indians
\$20,000 in
goods, as com-
pensation for
trespasses.

not interfere with nor molest such persons, but that the proper measures for their removal shall be referred to the President of the United States. In the mean time, however, it is agreed, that any just compensation to which the Indians may be entitled for any injuries committed by white persons on the Indian side of the said line, shall be paid to the said Indians at the time such treaty may be held—It is also agreed by the Indians that a ferry may be established over the Rock river, where the Fort Clark road crosses the same; and, also, a ferry over the same river at the crossing of the Lewiston road.

Art. 2. The United States agree to pay to the Winnebago, Potawatamie, Chippewa, and Ottawa Indians, the sum of twenty thousand dollars, in goods, at the time and place when and where the said treaty may be held: which said sum shall be equitably divided between the said tribes, and shall be in full compensation for all the injuries and damages sustained by them, in consequence of the occupation of any part of the mining country by white persons, from the commencement of such occupation until the said treaty shall be held. Excepting, however, such compensation as the Indians may be entitled to, for any injuries hereafter committed on their side of the line hereby established.

In testimony whereof, the said Commissioners and Chiefs of the said tribes have hereunto set their hands, at Green Bay, in the territory of Michigan, this 25th day of August, in the year of our Lord one thousand eight hundred and twenty-eight.

LEWIS CASS,
PIERRE MENARD.

Witnesses present:

W. B. Lee, *Secretary*,
H. J. B. Brevoort, *U. S. Indian Agent*,
R. A. Forsyth,
John H. Kenzie,
John Marsh,
E. A. Brush,
G. W. Silliman,
C. Chouteau,
Peter Menard, Jr. *Indian Sub Agent*,
Henry Gratiot,
Pierre Paquet, *Winnebago Interpreter*,
J. Ogee, *Potawatamie Interpreter*.

WINNEBAGOES.

Nan-kaw, or Wood,	his x mark	[L. S.]
Hoan-kaw, or Chief,	x	[L. S.]
Hon-waun-ee-kaw, or Little Elk,	x	[L. S.]
Tshay-ro-tshoan-kaw, or Smoker,	x	[L. S.]
Haump-ee-man-ne-kaw, or he who walks by day,	x	[L. S.]
Hoo-tshoap-kaw, or Four Legs,	x	[L. S.]
Morah-tshay-kaw, or Little Priest,	x	[L. S.]
Kau-ree-kau-saw-kaw, or White Crow,	x	[L. S.]
Wau-kaun-haw-kaw, or Snake Skin,	x	[L. S.]

Man-ah-kee-tshump-kaw, or Spotted Arm,	x	[L. s.]
Wee-no-she-kaw,	x	[L. s.]
Tshaw-Wan-Shaip-Shootsh-kaw,	x	[L. s.]
Hoo-tshoap-kaw, or Four Legs, (senior)	x	[L. s.]
Nau-soo-ray-risk-kaw,	x	[L. s.]
Shoank-tshunsk-kaw, or Black Wolf,	x	[L. s.]
Wau-tshe-roo-kun-ah-kaw, or he who is master of the Lodge,	x	[L. s.]
Kay-rah-tsho-kaw, or Clear Weather,	x	[L. s.]
Ha-ro-kaw-kaw, or He without Horns,	x	[L. s.]
Wau kaum-kam, or Snake,	x	[L. s.]
Kan-kaw-saw-kaw,	x	[L. s.]
Man-kay-ray-kau, or Spotted Earth,	x	[L. s.]
Thaun-wan-kaw, or Wild Cat,	x	[L. s.]
Span-you-kaw, or Spaniard,	x	[L. s.]
Shoank-skaw-kaw, or White Dog,	x	[L. s.]
Nee-hoo-kaw, or Whirlpool,	x	[L. s.]
Nath-kay-saw-kaw, or Fierce Heart,	x	[L. s.]
Wheank-kaw, or Duck,	x	[L. s.]
Saw-waugh-kee-wau, or he that leaves the Yellow Track,	x	[L. s.]
Sin-a-gee-wen, or Ripple,	x	
Shush-pue-nau,	x	
Sa-gin-nai-nee-pee,	x	
Nun-que-wee-bee, or Thunder sitting,	x	
O-bwa-gunn, or Thunder turn back,	x	
Tusk-que-gun, or Last Feather,	x	
Maun-gee-zik, or Big Foot,	x	
Way-mieck-sce-goo, or Wampum,	x	
Meeeks zoo,	x	
Pay-mau-bee-mee, or Him that looks over	x	

Ratified, 7th of January, 1829.

JOHN QUINCY ADAMS,

PRESIDENT OF THE UNITED STATES OF AMERICA,

To all and singular to whom these presents shall come, greeting:

Whereas a treaty between the United States of America and the Chippewa, Menomonie, and Winnebago tribes of Indians, was made and concluded on the eleventh day of August, one thousand eight hundred and twenty-seven, at the Butte des Morts, on Fox river, in the territory of Michigan, between Lewis Cass and Thomas L. M'Kenney, Commissioners on the part of the United States, and certain Chiefs and Warriors of the said tribes on the part of the said tribes; which treaty is in the words following, to wit:

Treaty between U. S. and Chippewa, Menomonie, and Winnebago, Sec. Art. 11, 1827.

No. 23. Articles of a treaty made and concluded at the Butte des Morts, on Fox river, in the territory of Michigan, between Lewis Cass and Thomas L. M'Kenney, Commissioners on the part of the United States, and the Chippewa, Menomonie, and Winnebago tribes of Indians.

Art. 1. Whereas the southern boundary of the Chippewa country, from the Plover Portage of the Ouisconsin easterly, was left undefined by the treaty concluded at Prairie du Chien, Au-
Chippewa boundary left undefined by treaty of 1825.

gust 19, 1825, in consequence of the non-attendance of some of the principal Menomonic chiefs; and, whereas it was provided by the said treaty, that, whenever the President of the United States might think proper, such of the tribes, parties to the said treaty, as might be interested in any particular line, should be convened, in order to agree upon its establishment:

Southern
boundary set-
tled.

Course.

Therefore, in pursuance of the said provision, it is agreed between the Chippewas, Menomonies and Winnebagoes, that the southern boundary of the Chippewa country shall run as follows, namely: From the Plover Portage of the Ouisconsin, on a northeasterly course, to a point on Wolf river, equidistant from the Ashawano and Post lakes of said river, thence to the falls of the Pashaytig river of Green Bay; thence to the junction of the Neesau Kootag or Burnt-wood river, with the Menomonic; thence to the big island of the Shoskinaubic or Smooth rock river; thence following the channel of the said river to Green Bay, which it strikes between the little and the great Bay de Noquet.

Territorial
difficulties,
between the
Menomo-
nic and Win-
nebago tribes
and the New
York Indians.

Art. 2. Much difficulty having arisen from the negotiations between the Menomonic and Winnebago tribes and the various tribes and portions of tribes of Indians of the State of New York, and the claims of the respective parties being much contested, as well with relation to the tenure and boundaries of the two tracts, claimed by the said New York Indians, west of Lake Michigan, as to the authority of the persons who signed the agreement on the part of the Menomonies, and the whole subject having been fully examined at the Council this day concluded, and the allegations, proofs, and statements, of the respective parties having been entered upon the journal of the Commissioners, so that the same can be decided by the President of the United States; it is agreed by the Menomonies and Winnebagoes, that so far as respects their interest in the premises, the whole matter shall be referred to the President of the United States, whose decision shall be final. And the President is authorized, on their parts, to establish such boundaries between them and the New York Indians as he may consider equitable and just.

Referred by
the Menomo-
nies and Win-
nebagoes, to
President.

Indian recog-
nition of U. S.
title to a cer-
tain tract of
land.

Boundaries
thereof.

Art. 3. It being important to the settlement of Green Bay that definite boundaries should be established between the tract claimed by the former French and British governments, and the lands of the Indians, as well to avoid future disputes as to settle the question of jurisdiction—It is therefore agreed between the Menomonic tribe and the United States, that the boundaries of the said tracts, the jurisdiction and title of which are hereby acknowledged to be in the United States, shall be as follows, namely:—Beginning on the shore of Green Bay, six miles due north from the parallel of the mouth of Fox river, and running thence in a straight line, but with the general

course of the said river, and six miles therefrom to the intersection of the continuation of the westerly boundary of the tract at the Grand Kaukaulin, claimed by Augustin Grignon; thence on a line with the said boundary to the same; thence with the same to Fox river; thence on the same course, six miles; thence in a direct line to the southwestern boundary of the tract, mark on the plan of the claims at Green Bay, as the settlement at the bottom of the bay; thence with the southerly boundary of the said tract to the southeasterly corner thereof; and thence with the easterly boundary of the said tract to Green Bay. *Provided*, That if the President of the United States should be of opinion that the boundaries thus established interfere with any just claims of the New York Indians, the President may then change the said boundaries in any manner he may think proper, so that the quantity of land contained in the said tract be not greater than by the boundaries herein defined. *And provided also*, That nothing herein contained shall be construed to have any effect upon the land claims at Green Bay; but the same shall remain as though this treaty had been formed.

Proviso, in favor of N. York Indians.

Proviso.

Art. 4. In consideration of the liberal establishment of the boundaries as herein provided for, the Commissioners of the United States have this day caused to be distributed among the Indians, goods to the amount of fifteen thousand six hundred and eighty-two dollars, payment for which shall be made by the United States.

Distribution of goods, &c.

Art. 5. The sum of one thousand dollars shall be annually appropriated for the term of three years; and the sum of fifteen hundred dollars shall be annually thereafter appropriated as long as congress think proper, for the education of the children of the tribes, parties hereto, and of the New York Indians, to be expended under the direction of the President of the United States.

Annual appropriation for education.

Art. 6. The United States shall be at liberty, notwithstanding the Winnebagoes are parties to this treaty, to pursue such measures as they may think proper for the punishment of the perpetrators of the recent outrages at Prairie du Chien, and upon the Mississippi, and for the prevention of such acts hereafter.

U. S. to punish certain offenders of Winnebago tribe.

Art. 7. This treaty shall be obligatory after its ratification by the President and Senate of the United States.

When to commence.

Done at the Butte des Morts, on Fox river, in the Territory of Michigan, this eleventh day of August, 1827.

LEWIS CASS,
THOS. L. M'KENNEY.

CHIPPEWAS.

Shinguaba Wossin	his x mark	Attikumaag,	his x mark
Wayishkee,	his x mark	Umbwaygeezhig,	his x mark
Sheewanbeketoan	his x mark	Monceto Penaysee	his x mark
Mazobodo,	his x mark	Akkeewaysee,	his x mark
Gitshee Waubezhaas,	his x mark	Sheegad,	his x mark
Moazoninee,	his x mark	Wauwaunishkau,	his x mark
Mishaukewett,	his x mark	Anamikee Waba,	his x mark
Monominee Cashce,	his x mark	Ockewazee,	his x mark

MENOMONEES.

Oskashe,	their x marks	Sau-say-man-nee,	x
Josette Caron,	x	Maunk-hay-raith (Tatood	
Kominikey, Jun.	x	breast,)	x
Kimiown,	x	Shoank Skaw (White dog,)	x
Kominikey, Sen.	x	Shoank-tshunksiap (Black	
Keshiminey,	x	Wolf,)	x
Woiniss-atte,	x	Kaw-Kaw-say-kaw,	x
Powoiysnoit,	x	Wheank-Kaw (Big Duck,)	x
Manbasseaux,	x	Shoank-ay-paw-kaw (Dog	
Myanmechetnabewat,	x	head,)	x
Pemabeme,	x	Sarray-ray-num-nee (Walking	
Kegisse,	x	Mat,)	x
L'Espagnol,	x	Waunk-tshay-hee-sootsh (Red	
Kichidaemtort,	x	devil,)	x
Hoo-Tshoop, (or four legs,)	x	Wau-kaun-hoa-noa-nick (Lit-	
Tshayro-tshoan Kaw,	x	tle Snake,)	x
Karry-Men-nee (Walking Tur-		Kaw-nee-shaw (White Crow,)	x
tle,)	x		

Witnesses:

Philip B. Key, *Secretary*,
 E. Boardman, *Captain 2d U. S. Infantry*,
 Henry R. Schoolcraft, *U. S. Indian Agent*,
 Henry B. Brevoort, *U. S. Indian Agent*,
 Thomas Rowland,
 D. G. Jones,
 R. A. Forsyth,
 S. Conant,
 E. A. Brush,
 Jn. Bte. Fcois. Fauvel, *Clergyman*,
 Jesse Miner,
 Henry Conner, *Interpreter*,
 John Kinzie, Jr.

Now, therefore be it known, that I, John Quincy Adams, President of the United States of America, having seen and considered said treaty, do, in pursance of the advice and consent of the Senate, as expressed by their resolution of the nineteenth instant, and with the proviso contained in said resolution, "That the said treaty shall not impair or affect any right or claim which the New York Indians or any of them have to the lands or any of the lands mentioned in the said treaty," accept, ratify and confirm the same, and every clause and article thereof.

In testimony whereof, I have caused the seal of the United States of America to be hereunto affixed, having signed the same with my hand.

Done at the city of Washington, this twenty-third day of February, in the year of our Lord one thousand eight hundred and twenty-nine, and of the Independence of the United States, the fifty-third.

JOHN QUINCY ADAMS.

By the President:

H. CLAY, *Secretary of State.*

No. 24. Articles of a treaty made and concluded at Prairie du Chien, in the Territory of Michigan, between the United States of America, by their Commissioners, General John M'Niel, Colonel Pierre Menard, and Caleb Atwater, Esq. and the United Nations of Chippewa, Ottawa, and Potawatamic Indians, of the waters of the Illinois, Milwaukee, and Manitowish Rivers. Treaty with United Nations of Chippewas, &c. July 29, 1829.

Art. 1. The aforesaid nations of Chippewa, Ottawa, and Potawatamic Indians, do hereby cede to the United States aforesaid, all the lands comprehended within the following limits, to wit: beginning at the Winnebago Village, on Rock river, forty miles from its mouth, and running thence down the Rock river to a line which runs due west from the most southern bend of Lake Michigan to the Mississippi river, and with that line to the Mississippi river opposite to Rock Island; thence, up that river, to the United States' reservation at the mouth of the Ouisconsin; thence with the south and east lines of said reservation, to the Ouisconsin river; thence, southerly, passing the heads of the small streams emptying into the Mississippi, to the Rock river aforesaid, at the Winnebago village, the place of beginning. And, also, one other tract of land, described as follows, to wit: beginning on the western shore of Lake Michigan, at the north east corner of the field of Antonie Ouitmette, who lives near Gross Pointe, about twelve miles north of Chicago; thence, running due west, to the Rock river, aforesaid; thence, down the said river, to where a line drawn due west from the most southern bend to Lake Michigan crosses said river; thence, east, along said line, to the Fox river of the Illinois; thence, along the northwestern boundary line of the cession of 1816, to Lake Michigan; thence, northwardly, along the western shore of said lake, to the place of beginning. Certain lands ceded to U. S.

Art. 2. In consideration of the aforesaid cessions of land, the United States aforesaid agree to pay to the aforesaid nations of Indians the sum of sixteen thousand dollars, annually, forever, in specie: said sum to be paid at Chicago. And the said United States further agree to cause to be delivered to said nations of Indians, in the month of October next, twelve thousand dollars worth of goods as a present. And it is further agreed, to deliver to said Indians, at Chicago, fifty barrels of salt, annu- Consideration; Perpetual annuity of 16000 dollars.
A present of 12,000 worth of goods.
Annual allowance of salt.

Permanent
Blacksmith's
establishment.

ally, forever; and further, the United States agree to make permanent, for the use of the said Indians, the blacksmith's establishment at Chicago.

Certain tracts
of lands re-
served.

Art. 3. From the cessions aforesaid, there shall be reserved, for the use of the undernamed Chiefs and their bands, the following tracts of land, viz:

For *Wau-pon-eh-see*, five sections of land at the Grand Bois, on Fox river of the Illinois, where *Shaytee's* village now stands.

For *Shab-eh-nay*, two sections at his village near the Paw-paw Grove. For *Awn-kote* four sections at the village of *Saw-meh-naug*, on the Fox river of the Illinois.

Certain tracts
to be granted
to certain des-
cendants from
the Indians.

Art. 4. There shall be granted by the United States, to each of the following persons, (being descendants from Indians,) the following tracts of land, viz: To Claude Laframboise, one section of land on the Riviere aux Pleins, adjoining the line of the purchase of 1816.

To Francois Bourbonne, jr. one section at the Missionary establishment, on the Fox river of the Illinois. To Alexander Robinson, for himself and children, two sections on the Riviere-aux Pleins, above and adjoining the tract herein granted to Claude Laframboise. To Pierre Leclerc, one section at the village of the As-sim-in-eh-Kon, or Paw-paw Grove. To Waish-kee-Shaw, a Potawatamie woman, wife to David Laugh-ton, and to her child, one and a half sections at the old village of Nay-ou-Say, at or near the source of the Riviere aux Sables of the Illinois. To Billy Caldwell, two and a half sections on the Chicago river, above and adjoining the line of the purchase of 1816. To Victorie Pothier, one half section on the Chicago river, above and adjoining the tract of land herein granted to Billy Caldwell. To Jane Miranda, one quarter section on the Chi-cago river, above and adjoining the tract herein granted to Vic-toire Pothier. To Madeline, a Potawatamie woman, wife of Joseph Ogee, one section west of and adjoining the tract here-in granted to Pierre Leclerc, at the Paw-paw Grove. To Ar-change Ouilmette, a Potawatamie woman, wife of Antoine Ouilmette, two sections, for herself and her children, on Lake Michigan, south of and adjoining the northern boundary of the cession herein made by the Indians aforesaid to the United States.

To Antoine and Francois Leclerc, one section each, lying on the Mississippi river, north of and adjoining the line drawn due west from the most southern bend of Lake Michigan, where said line strikes the Mississippi river. To Mo-ah-way, one quarter section on the north side of and adjoining the tract herein granted to Waish-Kee-Shaw. The tracts of land herein stipulated to be granted, shall never be leased or conveyed by

the grantees, or their heirs, to any person whatever, without the permission of the President of the United States.

Art. 5. The United States, at the request of the Indians aforesaid, further agree to pay to the persons named in the schedule annexed to this treaty, the sum of eleven thousand six hundred and one dollars; which sum is in full satisfaction of the claims brought by said persons against said Indians, and by them acknowledged to be justly due. U. S. to pay claims against Indians, amounting to \$11,601.

Art. 6. And it is further agreed, that the United States shall, at their own expense, cause to be surveyed, the northern boundary, line of the cession herein made, from Lake Michigan, to the Rock river, as soon as practicable after the ratification of this treaty, and shall also cause good and sufficient marks and mounds to be established on said line. U. S. to survey boundary line of cession.

Art. 7. The right to hunt on the lands herein ceded, so long as the same shall remain the property of the United States, is hereby secured to the nations who are parties to this treaty. Right to hunt reserved.

Art. 8. This treaty shall take effect and be obligatory on the contracting parties, as soon as the same shall be ratified by the President of the United States, by and with the advice and consent of the Senate thereof. Treaty to take effect when ratified by U. S.

In testimony whereof, the said John M'Niel, Pierre Menard, and Caleb Atwater, Commissioners as aforesaid, and the Chiefs and Warriors of the said Chippewa, Ottawa, and Potawatamie Nations, have hereunto set their hands and seals at Prairie du Chein, as aforesaid, this twenty ninth day of July, in the year of our Lord one thousand eight hundred and twenty-nine.

JOHN M'NIEL,
PIERRE MENARD, } *Com'rs.*
CALEB ATWATER,

Sin-eh-pay-nim,	his x mark	Sou-ka-mock,	x
Kawb-suk-we,	x	Chee-chee-pin-quay,	x
Wau-pon-ch-see,	x	Man-eh-bo-zo,	x
Naw-geh-say,	x	Shah-way-ne-be-nay,	x
Shaw-way-nay-see,	x	Kaw-kee,	x
Naw-geh-to-nud,	x	To-rum,	x
Meek-say-mauk,	x	Nah-yah-to-Shuk,	x
Kaw-gaw-gav-she,	x	Mee-chee-kee-wis,	x
Maw-geh-set,	x	Es-kaw-bey-wis,	x
Meck-eh-so,	x	Wau-pay-kay,	x
Awn-kote,	x	Michel,	x
Shuk-eh-nay-buk,	x	Nee-kon-gum,	x
Sho-men,	x	Mes-quaw-be-no-quay,	her x mark,
Nay-a-mush,	x	Pe-i-tum,	x
Pat-eh-koh-zuk,	x	Kay-wau,	x
Mash-kak-suk,	x	Wau-kaw-ou-say,	x
Pooh-kin-eh-naw,	x	Shem-naw,	x
Waw-kay-zo,	x		

In presence of—

Charles Hempstead, *Secretary to the Com.*
 Alex. Wolcott, *Indian Agent*,
 Jos. M. Street, *Indian Agent*,
 Thomas Forsyth, *Indian Agent*,
 Z. Taylor, *Lt. Col. U. S. Army*,
 John H. Kinzie, *Sub. Agent Indian Affairs*,
 R. B. Mason, *Captain 1st Infantry*,
 John Garland, *Major U. S. Army*,
 H. Dodge,
 A. Hill,
 Henry Gratiot,
 Richard Gentry,
 John Messersmith,
 Wm. P. Smith,
 C. Chouteau,
 James Turney,
 Jesse Benton, Jr.
 J. L. Bogardus,
 Antoine Le Claire, *Indian Interpreter*,
 Joo W. B. Mcete, *Indian Interpreter*,
 Sogee,
 John W. Johnson.

Ratified 2d January, 1830.

ANDREW JACKSON,

PRESIDENT OF THE UNITED STATES OF AMERICA,

To all and singular to whom these presence shall come, Greeting;

Whereas, a treaty between the United States of America and the nation of Winnebago Indians, was made and concluded on the first of August, eighteen hundred and twenty-nine, at Prairie du Chien, in the Territory of Michigan, by General John M'Niel, Colonel Pierre Menard, and Caleb Atwater, Esq. Commissioners on the part of the United States, and certain Chiefs and Warriors on the part of the Nation of Winnebago Indians; which treaty is in the words following, to wit :

Treaty with
Winnebagoes,
Aug't 1, 1829.

No. 25. Articles of a treaty made and concluded at the Villiage of Prairie du Chien, Michigan Territory, on this first day of August, in the year one thousand eight hundred and twenty-nine, between the United States of America, by their Commissioners, General John M'Niel, Colonel Pierre Menard, and Caleb Atwater, Esq. for and on behalf of said States, of the one part, and the nation of Winnebago Indians of the other part.

Certain lands
ceded to U. S.

Art. 1. The said Winnebago nation, hereby, forever, cede and relinquish to the said United States, all their right, title, and claim, to the lands and country contained in the following limits and boundaries, to wit: beginning on Rock River, at the mouth of the Pee-kee-tau-no or Pee-kee-tol-a-ka, a branch thereof; thence up the Pee-kee-tol-a-ka, to the mouth of Sugar Creek; thence up the said creek, to the source of the eastern branch thereof; thence by a line running due north, to the road leading from the eastern blue mound, by the most

northern of the four lakes, to the portage of the Wisconsin and Fox rivers; thence along the said road, to the crossing of Duck Creek; thence by a line running in a direct course to the most southeasterly bend of Lake Puck-a-way, on Fox river; thence up said Lake and Fox river, to the portage of the Wisconsin; thence across said portage to the Wisconsin river; thence down said river, to the eastern line of the United States' reservation at the mouth of said river, on the south side thereof, as described in the second article of the treaty made at St. Louis, on the twenty-fourth day of August, in the year eighteen hundred and sixteen, with the Chippewas, Ottawas, and Potawatamies; thence with the lines of a tract of country on the Mississippi river, (secured to the Chippewas, Ottawas, and Potawatamies, of the Illinois, by the ninth article of the treaty made at Prairie du Chien, on the nineteenth day of August, in the year eighteen hundred and twenty-five,) running southwardly, passing the heads of the small streams emptying into the Mississippi to the Rock river, at the Winnebago village, forty miles above its mouth; thence up Rock river, to the mouth of the Pee-kee-tol-a-ka river, the place of beginning.

Art. 2. In consideration of the above cession, it is hereby stipulated, that the said United States, shall pay to the said Winnebago nation of Indians the sum of eighteen thousand dollars in specie, annually, for the period of thirty-years; which said sum is to be paid to said Indians at Prairie du Chien and Fort Winnebago, in proportion to the numbers residing within the most convenient distance of each place, respectively; and it is also agreed, that the said United States shall deliver immediately to said Indians, as a present, thirty thousand dollars in goods; and it is further agreed, that three thousand pounds of tobacco, and fifty barrels of salt, shall be annually delivered to the said Indians by the United States, for the period of thirty years; half of which articles shall be delivered at the Agency at Prairie du Chien, and the other half at the Agency of Fort Winnebago.

Consideration;
annuity of
30,000 dolls.
for 30 years.

30,000 dolls.
worth of goods
as a present.

Tobacco and
Salt for thirty
years.

Art. 3. And it is further agreed between the parties, that the said United States shall provide and support three blacksmiths' shops, with the necessary tools, iron, and steel, for the use of the said Indians, for the term of thirty years; one at Prairie du Chien, one at Fort Winnebago, and one on the waters of Rock river; and furthermore, the said United States engage to furnish, for the use of the said Indians, two yoke of oxen, one cart, and the services of a man at the portage of the Wisconsin and Fox rivers, to continue at the pleasure of the agent at that place, the term not to exceed thirty years.

U. S. to provide 3 Blacksmith Shops.

Two yoke of oxen and a cart, &c.

Art. 4. The United States (at the request of the Indians aforesaid) further agree to pay to the persons named in the

U. S. to pay claims.

schedule annexed to this treaty, (and which forms part and parcel thereof,) the several sums as therein specified, amounting, in all, to the sum of twenty-three thousand five hundred and thirty-two dollars and twenty-eight cents; which sum is in full satisfaction of the claims brought by said persons against said Indians, and by them acknowledged to be justly due.

U. S. to grant certain lands to certain descendants from the Indians.

Art. 5. And it is further agreed, that, from the land hereinbefore ceded, there shall be granted by the United States to the persons herein named, (being descendants of said Indians,) the quantity of land as follows, to be located without the mineral country, under the direction of the President of the United States that is to say: to Catharine Myott, one section; to Michel St. Cyr, son of Kee-no-kau, (a Winnebago woman,) one section; to Mary, Ellen, and Brigitte, daughters of said Kee-no-kau, each one section; to Catharine and Olivier, children of Olivier Amelle, each one section; to Francois, Therese and Joseph, children of Joseph Thibault, each one section; to Sophia, daughter of Joshua Palen, one section; to Pierre Pacquette, two sections; and to his two children, Therese and Moses, each one section; to Pierre Grignon L'Avoine, Amable, Margaret, Genevieve, and Maricette, children of said Pierre, each one section; to Mauh-nah-tee-see, (a Winnebago woman,) one section; and to her eight children, viz: Therese, Benjamin, James, Simeon, and Phelise Lecuyer, Julia, and Antoine Grignon, and Alexis Peyet, each one section; to John Baptiste Pascal, Margaret, Angelique, Domitille, Therese, and Lisette, children of the late John Baptiste Paquette, each one section; to Madeline Brisbois, daughter of the late Michel Brisbois, Jr. one section; to Therese Gagnier and her two children, Francois and Louise, two sections; to Mary, daughter of Luther Gleason, one section; and to Theodore Lupen, one section; all which aforesaid grants are not to be leased or sold by said grantees to any person or persons whatever, without the permission of the President of the United States; and it is further agreed, that the said United States shall pay to Therese Gagnier the sum of fifty dollars per annum, for fifteen years, to be deducted from the annuity to said Indians.

Annuity of 50 dolls. to Therese Gagnier.

Sub-Agent to be appointed.

Art. 6. The said United States hereby agree (by the request of the said Indians,) to appoint a sub-agent for them, to reside on the waters of Rock river, and also to continue the present sub-agency at Fort Winnebago. But it is understood that the rejection of this article, by the Senate, is not to affect the validity of this treaty.

Treaty to be obligatory when ratified by U. S.

Art. 7. This treaty, after the same shall be ratified by the President of the United States, by and with the advice and consent of the Senate thereof, shall be obligatory on the contracting parties.

In testimony whereof, the said John M^cNiel, Pierre Menard, and Caleb Atwater, Commissioners as aforesaid, and the Chiefs and Warriors of said Winnebago nation of Indians, have hereunto set their hands and seals, at the time and place first herein above written.

JOHN M^cNIEL,
PIERRE MENARD,
CALEB ATWATER, } *Com's.*

Hay-ray-tshoan-sarp, Black Hawk,	his x mark.
Tshay-o-skaw-tsho-kaw, who plays with the Ox,	x
Woank-shik-rootsh-kay, Man Eater,	x
Kau-rah-kaw-see-kan Crow Killer,	x
Maunk-shaw-ka, White Breast,	x
Hah-pau-koo-see-kaw,	x
Maun-kaw-kaw, Earth,	x
Ah-sheesh-kaw, Broken Arm,	x
Waw-kaun-kaw, Rattle Snake,	x
Chey-skaw-kaw, White Ox,	x
Nautch-kay-suck, the Quick Heart,	x
Wau-kaun-tshaw-way-kee-wen-kaw, Whirling Thunder,	x
Thoap-nuzh-ee-kaw, Four who stand,	x
Hay-nah-ah-ratsk-kay, Left handed,	x
Woan-khaw-hoap-ee-ne-kaw, Big Medicine Man,	x
Pey-tshu-kaw, the Crane,	x
Jarot, or Jarrott,	x
Thay-hoo-kau-kaw,	x
Koo-se-ray-kaw,	x
Nau-kaw-kary-Maunie, Wond,	x
Hee-tshah-wau-shaip-soots-kau, Red War Eagle,	x
Hee-tsha-wau-sharp-skaw-kau, White War Eagle,	x
Tshu-o-nuzh-ee-kau, He who stands in the House,	x
Wau-kaun-hah-kaw, Snake Skin,	x
Hoo-wau-noo-kaw, Little Elk,	x
Shoank-tshunk-saip-kau, Black Wolf,	x
Kay-rah-tsho-kau, Clear Sky,	x
Hee-tshaum-wau-kaw, Wild Cat,	x
Hoo-tshoap-kau, Four Legs, Jr.	x
Maunk-kay-ray-kau, Crooked Tail,	x
Wau-kaun-kaw, Rattle Snake,	x
Wau-tshee-roo-kun-o-kau, Master of the Lodge,	x
Menne-kam, the Bear who scratches,	x
Wau-kaun-tshaw-zee-kau, Yellow Thunder,	x
Kay-ray-mau-nee, Walking Turtle,	x
Kaish-kee-pay-kau,	x
Ni-si-wau-roosh-kun, the Bear,	x
Kau-kau-saw-kaw,	x
Maun-tsha-nig-ee-nig, Little White Bear,	x
Wau-kaun-tsha-nee-kau, Deaf Thunder,	x
Chah-wau-saip-kau, Black Eagle,	x
Saun-tshah-mau-nee,	x
Maunee-hat-a-kau, Big Walker,	x
Kaish-kee-pay-kau,	x

In presence of

Charles S. Hempstead, *Sec. to the Com.*
Joseph M. Street, *Indian Agent,*
Thomas Forsyth, *Indian Agent,*

Alex. Wolcott, *Indian Agent*,
 John H. Kenzie, *Sub. Ag't Indian Affairs*,
 Z. Taylor, *Lt. Col. U. S. Army*,
 H. Dodge,
 A. Hill,
 Henry Gratiot,
 Wm. Braumont, *Surgeon U. S. Army*,
 G. W. Garey,
 Richard Gentry,
 James Turner,
 Richard H. Bell,
 John W. Johnson,
 Wm. M. Read,
 G. W. Kennerly,
 R. Holmes, *U. S. A.*
 John Dallam,
 J. R. B. Gardiner, *Lt. U. S. Infantry*,
 Charles Choteau,
 John Messersmith,
 John L. Chastain,
 Wm. D. Smith,
 Charles K. Henshaw,
 James B. Estis,
 Jesse Benton, Jr.
 Jacob Hamilton,
 John Quail,
 John Garland,
 Henry Crossle,
 J. L. Bogardus,
 B. B. Karcheval,
 Luther Gleason,
 Pierre Paquet, his x mark, *Winne. Interpreter*,
 J. Palen,
 Jaque Mattez,
 Antoine Le Claire,
 Joge,
 M. Brisbois.

Ratification.

6th article ex-
 cepted.

Now, therefore, be it known, that I, Andrew Jackson, President of the United States of America, having seen and considered said treaty, do, in pursuance of the advice and consent of the Senate, as expressed by their resolution of the thirtieth December, eighteen hundred and twenty-nine, accept, ratify, and confirm the same, and every clause and article thereof, with the exception of the sixth article.

In testimony whereof, I have caused the seal of the United States to be hereunto affixed, having signed the same with my hand.

Done at the City of Washington, this second day of January, in the year of our Lord one thousand eight hundred and thirty, and of the Independence of the United States, the fifty-fourth.

ANDREW JACKSON.

By the President :

M. VAN BUREN,

Secretary of State.

No. 4. Articles of agreement made between John McElvain, thereto specially authorised by the President of the United States, and the band of Delaware Indians upon the Sandusky river, in the state of Ohio, for the cession of a certain reservation of land in the said state. Treaty with Delaware Indians.

Art. 1. The said band of Delaware Indians cede to the United States the tract of three miles square, adjoining the Wyandot reservation upon the Sandusky river, reserved for their use by the treaty of the Rapids of the Maumee, concluded between the United States and the Wyandots, Seneca, Delaware, Shawanees, Potawatamies, Ottawas, and Chippewa tribes of Indians, on the twenty-ninth day of September, in the year of our Lord one thousand eight hundred and seventeen, and the said tribe of Delawares engage to remove to and join their nation on the west side of the Mississippi, on the land allotted to them, on or before the first day of January next, at which time peaceable possession of said reservation is to be given to the United States. Certain land ceded to the U. S.
Tribe to move west of Mississippi.

Art. 2. In consideration of the stipulations aforesaid, it is agreed, that the United States shall pay to the said band the sum of three thousand dollars: two thousand dollars in hand, the receipt of which is hereby acknowledged by the undersigned Chiefs of said tribe, and the remaining balance of one thousand dollars to be appropriated to the purchase of horses, clothing, provisions, and other useful articles, to aid them on their journey so soon as they are prepared to remove. Consideration, 3,000 dols.

In witness whereof, the said John McElvain, and the Chiefs of the said band, have hereunto set their hands and seals at Little Sandusky, in the state of Ohio, this third day of August, in the year of our Lord one thousand eight hundred and twenty-nine.

JOHN McELVAIN.

Captain Pipe,	his x mark
William Matacur,	x
Captain Wolfe,	x
Eli Pipe,	x
Solomon Joneycake,	x
Joseph Armstrong,	x
George Williams,	x

In presence of

Nathaniel McLean,
Cornelius Wilson,
H. Barrett.

Ratified 2d January, 1830.

No. 5. Supplementary article to the Delaware treaty, concluded at St. Mary's, in the state of Ohio, on the 3d of October, 1818.

Whereas the foregoing treaty stipulates that the United States shall provide for the Delaware Nation, a country to reside in west of the Mississippi, as the permanent residence of their nation; and whereas the said Delaware nation, are now willing to remove on the following conditions, from the country on Supplemental treaty with Delaware nation.

James' fork of White river in the state of Missouri, to the country selected in the fork of the Kansas and Missouri river, as recommended by the government, for the permanent residence of the whole Delaware nation; it is hereby agreed upon by the parties, that the country in the fork of the Kansas and Missouri rivers, extending up the Kansas river, to the Kansas line, and up the Missouri river to Camp Leavenworth, and thence by a line drawn westwardly, leaving a space ten miles wide, north of the Kansas boundary line, for an outlet; shall be conveyed and forever secured by the United States, to the said Delaware nation as their permanent residence; and the United States hereby pledges the faith of the government to guarantee to the said Delaware nation forever, the quiet and peaceable possession and undisturbed enjoyment of the same, against the claims and assaults of all and every other people whatever.

U. S. to furnish 40 horses, &c.

And the United States hereby agrees to furnish the Delaware nation with forty horses, to be given to their poor and destitute people; and the use of six wagons and ox teams, to assist the nation in removing their heavy articles to their permanent home; and to supply them with all necessary farming utensils and tools necessary for building houses, &c. and to supply them with provisions on their journey; and with one year's provisions after they get to their permanent residence; and to have a grist and saw mill erected for their use, within two years after their complete removal.

Additional annuity.

And it is hereby expressly stipulated and agreed upon by the parties, that for and in consideration of the full and entire relinquishment by the Delaware nation of all claim whatever to the country now occupied by them, in the state of Missouri, the United States shall pay to the said Delaware nation, an additional permanent annuity of one thousand dollars.

36 sections of land for school purposes.

And it is further stipulated that thirty-six sections of the best land within the limits hereby relinquished, shall be selected under the direction of the President of the United States, and sold for the purpose of raising a fund, to be applied under the direction of the President, to the support of schools for the education of Delaware children.

Agreement in part only.

It is agreed upon by the parties that this supplementary article shall be concluded in part only, at this time, and that a deputation of a chief, or warrior, from each town with their interpreter shall proceed with the agent to explore the country more fully, and if they approve of said country, to sign their names under ours, which shall be considered as finally concluded on our part; and after the same shall be ratified by the President and Senate of the United States, shall be binding on the contracting parties.

In testimony whereof, the United States' Indian Agent, and the Chiefs and Warriors of the Delaware nation of Indians, have hereunto set their hands, at Council Camp on James' fork of White river, in the state of Missouri, this 24th day of September, in the year of our Lord, one thousand eight hundred and twenty-nine.

GEORGE VASHON, *U. S. Indian Agent.*

Wm. Anderson, principal chief,	his x mark,
Capt. Patterson, 2d chief,	his x mark,
Pooshies, or the Cat,	his x mark,
Cap. Suwaunock, Whiteman,	his x mark,
Johnny Quick,	his x mark,
John Gray,	his x mark,
George Quirly,	his x mark,
Capt. Beaver,	his x mark,
Naunotetauxien,	his x mark,
Little Jack,	his x mark,
Capt. Pipe,	his x mark,
Big Island,	his x mark.

Signed in presence of

James Conner, *Delaware Interpreter,*
Anthony Shane, *Shawnee Interpreter,*

These last six Chiefs and Warriors having been deputed to examine the country, have approved of it, and signed their names at Council Camp, in the fork of the Kansas and Missouri river, on the 19th October, 1829.

Nauocheaupane,	his x mark,
Nungailautone,	his x mark,
James Gray,	his x mark,
Sam Street,	his x mark,
Aupaneek,	his x mark,
Outhteekawshaweat,	his x mark.

In presence of

Anthony Shane, *Interpreter,*
James Conner, *Interpreter,*
Baptiste Peoria, *Interpreter.*

IN THE SENATE OF THE U. STATES,

May 29th, 1830.

Resolved, (two-thirds of the Senators present concurring,) That the Senate do advise and consent to the ratification of the supplementary article concluded at Council Camp on James' fork of White river, in the state of Missouri, the 24th day of September, 1829, to a treaty between the United States and the Delaware Indians, made the 3d day of October, 1818: Provided, that the President of the United States, with all convenient despatch, employ a Surveyor, at the usual rate of compensation for like services, to run the lines of the country, by the foregoing treaty granted to the said Delaware nation of Indians, to establish certain and notorious land marks accurate-

Resolution of
Senate.

Surveyor to
make map
and draft.

ly and permanently, to distinguish the boundaries of the said granted country, and of the said outlet reserved in this treaty; that the said Surveyor run the lines and fix and establish the boundaries, of the said granted country, and the said outlet, in the presence of an agent to be designated by the Delaware nation; and that it shall be the duty of the said Surveyor to report to the President of the United States his proceedings in the premises, together with a map or draft of the said granted country, and the said outlet; and that when the President shall be satisfied that the said proceedings have been concurred in, and approved of by the agent of the said Delaware nation, he shall also approve of the same by his signature and seal of office, and cause one copy of the same to be affixed among the archives of the Government, and one copy to be delivered to the agent of the Delaware nation, for the use of the said nation: and which shall be thereafter binding and conclusive upon the respective parties to the foregoing treaty.

Attest,

(Signed,)

WALTER LOWRIE, *Secretary.*

DOCUMENTS.

[SUPPLEMENTARY TO DOCUMENTS RELATING TO INDIAN AFFAIRS—ANTE PAGE 423.]

No. 9. Copy of the official communication of the Commissioners, governor Isaac Shelby and general Andrew Jackson, to the Secretary of War, detailing their proceedings in negotiating the treaty of the 19th October, 1818, with the Chickasaw nation of Indians—[For the treaty, see page 184 of this volume.]

NASHVILLE, 30th Oct. 1818.

SIR,

We had the pleasure on the 23d instant to address you, in which we made known to you that on the 19th we had the good fortune to conclude a treaty with the Chickasaw nation of Indians, by which they have ceded to the United States all claim or title to the land within the states of Kentucky and Tennessee. To show you the disposition of the Indians and the determination of the Chiefs neither to exchange or sell any part of their land before we entered the nation or met them in council, we beg leave to refer you to the letter of James Colbert of the 17th July, 1818, in answer to one written by general Jackson on behalf of the Commissioners, announcing to the nation that we had been appointed by the President of the United States to treat with the Chickasaw nation for a purchase or exchange of land, which letter is herewith enclosed, marked A. And to show you how we managed the discussion from its commencement, we beg leave to refer you to general Jackson's letter of the 24th of July, written in behalf of the Commissioners, marked B, which induced major James Colbert, the Interpreter of the nation, to write the general of date the 8th of August, appointing the time and place for holding the treaty, which communication is marked C, and to which we beg leave also to refer you.

Communica-
tion of Gov.
Shelby and
Gen. Jackson.

We reached the treaty ground on the 29th of September, and for a detailed account of our whole proceedings pending this negotiation, we beg leave to refer you to the journal, signed by colonel Robert Butler, (our secretary,) and approved by us; which document accompanies the treaty, and will be handed to you by colonel Robert Butler, whom we have charged with its safe delivery, and for which service we hope you will allow him the pay of secretary, and his expenses. We could not think of trusting so valuable a paper to the conveyance of the mail.

You will see from the documents referred to that we soon found, to be successful, we must address ourselves to their fears and indulge their avarice. The goods subject to our control would not answer this purpose, and if they had, they could not have been used without discovery; nor were they, with the amount for which we were authorised to draw, sufficient to obtain the object; the Chiefs knew the value of the land we asked for, and in consequence of this knowledge set a higher price upon it themselves. The Colberts wielded the nation, and of course laid several hundred per cent. on their own influence. The reserves suggested

Communica-
tion of Gov.
Shelby and
Gen. Jackson.

themselves to us. There were citizens whose interest in obtaining the cession was such as made them willing to advance on the reserve; but we thought it best to hold an election in the government, and if it chooses to make an advance, an assignment will be made on the deed which will be admitted to record in the county wherein the land lies; but if the government does not approve of this measure, the deed is to be delivered to James Jackson, of Nashville, to whom it is made, who will advance the sum drawn for. We would suggest, that Martin Colbert goes on to the city to await the ratification of the treaty. General Jackson has assured him that, as soon as the ratification of the treaty takes place, Mr. Thomas Keikman will advance him the goods, and has instructed Mr. James Jackson to advise him accordingly.

We can assure you that without this douceur we could not have obtained the treaty, and we have placed the land reserved, in a better state for the benefit of society; and the individual advancing the amount is willing to retain it, if the Executive should think proper to make that election. You will perceive by the transaction, that we created a fund out of their own property to bring over the influence of the nation, and obtain this cession so important to the United States and to the western world; for the strength of the population of the country ceded will be sufficient for the defence of the west in the event of war in that country, and the report of Major Lewis will show its extent and immense value.

We trust you will see in our procedure the generous efforts used to obtain the object of our mission; and the means by which we obtained success, we hope will be approved by the President.

The goods forwarded to the Bluff, subject to our order, we have agreeably to the instructions contained in your letter of the 29th of September, relative to those goods for the annuity, furnished Mr. Balio, sub-factor, with an extract, and directed him to hold them subject to the order of Mr. M^cKenney, Superintendent of Indian Affairs. We will conclude by remarking, that there is a great saving by paying the annuity in money. The enumeration being made, the amount can be divided into shares as has been done at the last payment, be placed in the hands of the four Chiefs of the four different departments, who can assemble the Indians of their respective departments in their own neighborhoods, and distribute the same to them without its costing the United States a single ration, when an annuity in goods will cost them half the amount of the goods in rations, and the poor of the nation receive but little benefit therefrom, as there is always a great proportion of the goods lost or wasted as will be found in the instance of the goods lately sent on.

We are, Sir, very respectfully,
Your obedient servants,

(Signed)

ISAAC SHELBY,
ANDREW JACKSON.

J. C. CALHOUN,

Secretary of War.

No. 10. Extract from the message of Andrew Jackson, President of the United States to the two houses of Congress; at the commencement of the 1st session of the 21st Congress, on Tuesday, December 8th, 1829, containing all that part of said message which relates to Indian affairs.

“The condition and ulterior destiny of the Indian tribes within the limits of some of our states, have become objects of much interest and importance. It has long been the policy of government to introduce among them the arts of civilization, in the hope of gradually reclaiming them from a wandering life. This policy has, however, been coupled with another, wholly incompatible with its success. Professing a desire to civilize and settle them, we have, at the same time, lost no opportunity to purchase their lands, and thrust them further into the wilderness. By this means they have not only been kept in a wandering state, but been led to look upon us as unjust and indifferent to their fate. Thus, though lavish in its expenditures upon the subject, government has constantly defeated its own policy; and the Indians, in general, receding further and further to the west, have retained their savage habits. A portion however, of the southern tribes, having mingled much with the whites, and made some progress in the arts of civilized life, have lately attempted to erect an independent government, within the limits of Georgia and Alabama. These states, claiming to be the only sovereigns within their territories, extending their laws over the Indians; which induced the latter to call upon the United States for protection.

Extract from
President
Jackson's
message to
Congress Dec.
8, 1829.

“Under these circumstances, the question presented was, whether the general government had a right to sustain those people in their pretensions? The constitution declares, that “no new state shall be formed or erected within the jurisdiction of any other state,” without the consent of its legislature. If the general government is not permitted to tolerate the erection of a confederate state within the territory of one of the members of this Union, against her consent; much less could it allow a foreign and independent government to establish itself there. Georgia became a member of the confederacy which eventuated in our Federal Union, as a sovereign state, always asserting her claim to certain limits; which having been originally defined in her colonial charter, and subsequently recognised in the treaty of peace, she has ever since continued to enjoy, except as they have been circumscribed by her own voluntary transfer of a portion of her territory to the United States, in the articles of cession of 1802. Alabama was admitted into the Union on the same footing with the original states, with boundaries which were prescribed by Congress. There is no constitutional, conventional, or legal provision, which allows them less power over the Indians within their borders, than is possessed by Maine or New York. Would the people of Maine permit the Penobscot tribe to erect an independent government within their state? And unless they did, would it not be the duty of the general government to support them in resisting such a measure? Would the people of New York permit each remnant of the six nations within her borders, to declare itself an independent people under the protection of the United

Extract from
President
Jackson's
message to
Congress Dec.
8, 1823,

States? Could the Indians establish a separate republic on each of their reservations in Ohio? and if they were so disposed, would it be the duty of the government to protect them in the attempt? If the principle involved in the obvious answer to these questions be abandoned, it will follow that the objects of this government are reversed; and that it has become a part of its duty to aid in destroying the states which it was established to protect.

"Actuated by this view of the subject, I informed the Indians inhabiting parts of Georgia and Alabama that their attempt to establish an independent government would not be countenanced by the Executive of the United States; and advised them to emigrate beyond the Mississippi, or submit to the laws of those states.

"Our conduct towards these people is deeply interesting to our national character. Their present condition, contrasted with what they once were, makes a most powerful appeal to our sympathies. Our ancestors found them the uncontrolled possessors of these vast regions. By persuasion and force, they have been made to retire from river to river, and from mountain to mountain; until some of the tribes have become extinct, and others have left but remnants, to preserve for a while, their once terrible names. Surrounded by the whites, with their arts of civilization which, by destroying the resources of the savage, doom him to weakness and decay; the fate of the Mohegan, the Narragansett, and the Delaware, is fast overtaking the Choctaw, the Cherokee and the Creek. That this fate surely awaits them, if they remain within the limits of the states, does not admit of a doubt. Humanity and national honor demand that every effort should be made to avert so great a calamity. It is too late to inquire whether it was just in the United States to include them and their territory within the bounds of new states whose limits they could control. That step cannot be retraced. A state cannot be dismembered by Congress, or restricted in the exercise of her constitutional power. But the people of those states, and of every state, actuated by feelings of justice and a regard for our national honor submit to you the interesting question, whether something cannot be done, consistently with the rights of the states, to preserve this much injured race?

"As a means of effecting this end, I suggest, for your consideration, the propriety of setting apart an ample district west of the Mississippi, and without the limits of any state or territory now formed, to be guaranteed to the Indian tribes, as long as they shall occupy it; each tribe having a distinct control over the portion designated for its use. There they may be secured in the enjoyment of governments of their own choice, subject to no other control from the United States than such as may be necessary to preserve peace on the frontier, and between the several tribes. There the benovolent may endeavour to teach them the arts of civilization: and, by promoting union and harmony among them, to raise up an interesting commonwealth, destined to perpetuate the race, and to attest the humanity and justice of this government.

"This emigration should be voluntary: for it would be as cruel as unjust to compel the aborigines to abandon the graves of their

fathers, and seek a home in a distant land. But they should be distinctly informed that, if they remain, within the limits of the states, they must be subject to their laws. In return for their obedience, as individuals, they will, without doubt, be protected in the enjoyment of those possessions which they have improved by their industry. But it seems to me visionary to suppose, that, in this state of things, claims can be allowed on tracts of country on which they have neither dwelt nor made improvements, merely because they have seen them from the mountain, or passed them in the chase. Submitting to the laws of the states, and receiving, like other citizens, protection in their persons and property, they will, ere long, become merged in the mass of our population."

Extract from
President
Jackson's
message to
Congress, Dec.
8, 1829.

No. 11. Extract from the report of John H. Eaton, Secretary of War, to the President of the United States, dated 30th November, 1829.

"As regards the Indian tribes within our limits, it is important to them and ourselves that some definitive plan should be adopted to maintain them as a people, with all those principles of courtesy and justice suitable to their condition, and which may be in our power to extend. Experience proves, that, within the states they cannot remain. Serious difficulties have threatened to arise out of this subject, and greater ones may in future be anticipated. The states will not consent for their limits to be occupied by a people possessed of savage habits, and who claim to exercise the rights of government, independent of any control but their own.

Report of the
Secretary of
War to the
President of
30th Nov.
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"A country beyond the Mississippi, better adapted to their habits and pursuits, and where they will be entirely free from all state interference, is the place they should retire to; not through any compulsion to be exercised, but by a course which shall satisfy them clearly that it is for their interest they should do so, and that their happiness requires it.

"No better plan can be thought of, than that the United States shall put in operation such a system of Indian protection and government, west of the Mississippi, as that a confidence may be reposed, that they are indeed our fostered children, and the government not only so disposed to consider, but practically to evince their good feelings towards them. At present an objection arises with the weaker tribes. They are indisposed to emigrate, from an apprehension that powerful and stronger neighbours may oppress them, and that no surer protection can be obtained from the United States in the west, than is possessed already where they reside. To remove such apprehensions will be of importance.

"I beg leave to suggest for your consideration, if an Indian territory without the range of the Western States and territories, might not be advantageously created: and to give efficiency, and to inspire confidence, military posts, under some able and discreet officer of the army, to be designated at some central and convenient point. Intrusions from the whites might thus be restrained, and the Indians maintained in quiet with each other. Laws for

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their general government, and to preserve peace amongst the tribes, to be the act of the United States, with a right to the Indians in Council to make their own municipal regulations.

"The displeasure of individual chiefs, and the exciting their young men to maraud on neighboring tribes, to be provided against by prohibiting any war to be commenced unless it should be declared in general council, and with the knowledge and in the presence of the governor or his authorized agent.

"Those Indian differences usually find their origin in light and trifling matters, which timely remedies could in many instances prevent, but which, if neglected, often produce considerable difficulty, and to us, expense in restoring tranquillity. Accident or design may bring about a conceived or real wrong, retaliation is the consequence, which, being again imitated by an adverse party, presently ripens into matters of serious consequence. As moral influences can be productive of little benefit to minds not cultivated, it will be prudent and necessary to arrange to the best advantage the physical force of the country. Justice to the inhabitants of our frontiers, and humanity to the Indians, will be more certainly attained, by creating a sure impression that every outrage will promptly receive a proper requital. That interference, and that assertion of authority, which this, as an independent country, has a right to exercise over dependent tribes within her limits, maintained steadily, and with strict regard to justice, may effect for this unfortunate race of people, all that philanthropy can suggest, or good men desire.

"Nothing promises security to these people, so effectually as their emigration. Within the states to the south, computing the four tribes, Creeks, Cherokees, Chickasaws, and Choctaws, their number will fall little short of sixty-five thousand. Removing them in small detached parties, as heretofore has been the case, renders the operation a matter of greater expense than is seemingly necessary. If the expediency of inducing them to a change of homes, and to place them without the range of the states, shall be determined on, a large appropriation will be wanted for the object, to be placed at the disposition of the Executive; and then a hope may be cherished that this desirable object may be attained. But, with partial appropriations, and partial ends accomplished, it must require a tedious time to bring about the final result, and will involve an increased expenditure to the public."

Report of Senate Committee, on Indian Affairs.

[Made February 22d, 1830.]

No. 12. The committee on Indian Affairs, to whom was referred that part of the President's message, dated the eighth day of December last, which relates to Indian Affairs, have had the same under consideration, and ask leave to submit the following report:

Report of
Senate Committee
on Indian
affairs.

Every thing which relates to those Indian tribes or nations with which we have political relations, *created or regulated* by treaties, is becoming, every year, more and more interesting; especially those relating to such as reside within any of the states of the

Union, or of the territories belonging to it. The matters communicated by the President, in his message, relative to the Cherokees, are of the most delicate and interesting character, whether considered in relation to the United States, to the states of Georgia and Alabama, or to the Cherokee nation. The committee have employed themselves assiduously in their investigation, with an anxious wish to avail themselves of all the information within their reach, and desirous to recommend something to the Senate, which, if productive of no positive good, will at least have the merit of not farther embarrassing questions, already sufficiently complicated.

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mittee on In-
dian affairs.

With this nation, the United States have formed a number of treaties, commencing as early as the year 1785, and ending in the year 1819. At the formation of the first, the Indians occupied portions of territory within the chartered limits of the states of North Carolina, South Carolina, and Georgia. Since that period, North Carolina ceded a part of her territory, on which a portion of these Indians resided, to the United States; and that territory, *according to the terms of the deed of cession*, has been since formed in the state of Tennessee. South Carolina and Georgia amicably settled the boundary between them; and by an agreement between the United States and Georgia, dated in the year 1802, the United States acquired the title to a portion of territory, out of which the state of Alabama, and the greater part of the state of Mississippi, have been since formed. And now, it so happens, that a part of the Cherokees still reside within the states of North Carolina and Georgia, according to their *present* boundaries, as well as within the limits of Tennessee and of Alabama. Latterly, Georgia, in the exercise, as she supposes, of her sovereign powers, has extended her laws over the whole of the state, and subjected the Indians to her jurisdiction. Meantime, the Cherokees have formed a civil government of their own, entirely independent of any state, claiming to have a right to do so in virtue of their original title to the lands on which they reside, and relying, likewise, upon the guarantee of their country, in several of their treaties formed with the United States. They have called upon the Executive to make good this guarantee, by preventing the operation of the laws of either Georgia or Alabama, within those limits secured to them by the said treaties. To this application the President has replied, that he has no power to check the operation of the laws of those states, within their respective limits; that the constitution of the United States forbids the formation of any new state, within the limits of an old one, without its consent; therefore, the Cherokees cannot be recognized as a separate state, within those limits where they now reside; and that, if they choose to remain *there*, they shall be protected in doing so, but that they must submit to the laws of the respective states, at the same time they are protected by them and earnestly recommends to them to consent to exchange the country where they now reside, for one west of the Mississippi, owned by the United States, and not yet included within the bounds of any state or territory, where they can be again united

with that portion of their nation which has already emigrated, and where the United States can, and will, make them forever secure from any interruption from the whites, or from any other nation or people whatever.

To this proposition the Indians have given an absolute refusal, still insisting on a fulfilment of their treaty stipulations.

The laws of Georgia will commence their operation in the month of June next. It is easy to foresee the painful consequences which will probably follow, from laws operating over the same territory, at one and the same time, and flowing from jurisdictions or sovereigns, *independent* of each other.

The evil will not stop here; already we are advised Mississippi has passed a law, incorporating her Indian population with her citizens; that Alabama has extended her laws over the Creek Indians within her limits; and, before long, we may anticipate that the like policy will be pursued by several other states.

From the information before the committee, no hope need be entertained that either of those states will change their policy, and repeal those laws; a period has arrived, when the United States have a duty to perform, which must be discharged, in *good faith*, to the states concerned, to the Indians, and with a *sacred regard* to their own high character.

In the view which the committee have on this subject, they believe it would be unnecessary, if not improper, for them to offer any opinion upon the points in dispute between the contending parties, because there can be no reason to suppose any additional enactments by Congress are necessary to put it in the power of the executive to make good the *guaranties* contained in the treaties, if, in his judgment, they ought to have the construction for which the Cherokees insist, and his duty, according to the constitution, would authorize him to oppose the operation of the state laws.

In 1802, Congress passed an act to regulate trade and intercourse with the Indians, the provisions of which, connected with the treaties, are sufficiently broad to authorize the Executive to give effect to every stipulation, which it is the duty of the United States to perform.

The failure to comply with the wishes of the Cherokees, as it appears to the committee, proceeded not from a defect in the law, but because, in the opinion of the Executive, *constitutional* objections exist, which it is not in the power of Congress to remove, by any law which they could enact.

The difficulties which have actually occurred, were foreseen some years since, and successive Administrations seem to have been anxiously endeavoring to avoid them; and the only remedy suggested by any, appears to have been, to provide a country west of the Mississippi, beyond the limits of any state or organized territory; to have it laid off and divided into as many districts as would accommodate *all the Indians* residing within any of the states or territories; to have those districts so described, by natural or artificial marks, that each could be known from every other; and then, by fair and peaceable means, to induce the In-

dians to exchange the lands *where they live*, for some of those thus described, and to emigrate. Suitable country, as is believed, has been procured, but, owing to some cause or other, the districts have not, as yet, been laid off, and properly described. Exchanges, however, to a considerable extent, have been made, and consequent emigrations from various tribes have taken place. A portion of the Cherokees, equal, as is believed, to from one-third to one-half of the whole, has actually removed to, and settled in, a country well suited to their wants and wishes, west of the Mississippi. There is good reason to believe many more would have removed before this time, except for various causes, which as yet, the United States have not been able to overcome. The principal one is, the idea of a separate and independent state of their own, where they now live. This is the work, principally, of comparatively a few, who are either white men connected with the nations by marriage, or of those of mixed blood, born in the nation, who are well educated and intelligent, who have acquired considerable property, and, thro' the annuities paid by the United States, and by other means, are yearly adding to it. This class of people, it is believed, do not altogether equal one hundred in number. A very small portion of full blooded Indians can be named, who are in the like circumstances, or who have much agency in their public affairs.

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dian affairs.

Those who are in public employ have an influence almost unbounded over the nation. They fill all the offices created by their laws, and have the entire management of the funds derived from every source. The rest of the nation may be divided into two classes. The one owning some small property, and having settlements of their own, upon which they make a sufficiency to support themselves and their families, and but little surplus. Those of the other, comprehending, as is believed, the mass of the population, are as poor and degraded as can well be imagined. They may be said to live without hope of better circumstances; they have almost no property, and seem destitute of the means or prospect of acquiring any. There is very little game in their country. They are without industry, without information, unlettered, and subsisting chiefly upon what they can beg, and upon the birds and fish they can procure. A stranger who travels along a leading road through the nation, or makes but a short stay in it, will form a very erroneous opinion of the true condition of the great mass of the population. He has intercourse only with those of the first or second class before mentioned, and forms his opinions of all, from the condition of those with whom he associates. It may then be asked, why do these people refuse to emigrate? The answer is, those who have influence over them use every means in their power to prevent them. They misrepresent the country offered, west of the Mississippi. They use persuasion, while it answers the purpose, and threats, when persuasion is likely to fail. The committee are well satisfied, that every humane and benevolent individual, who is anxious for the welfare of the great body of the Cherokees, *and is correctly informed of their true condition*, must feel desirous for their removal, provided it can be effected with their consent.

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dian affairs.

Other strong inducements for this desire, must be found in the condition to which they are now brought, by the collision between them and the laws of the states in which they reside.

Although the committee, for the reasons before given, consider it unnecessary, if not improper, in them, to offer any opinion upon the validity of the conflicting claims of the parties; yet, it may not be without its use to call the attention of the Senate to some of the leading facts, and main points, upon which the controversy has depended, and must hereafter depend.

The title of the Cherokees must rest upon their original right of occupancy, and upon the treaties formed with the United States.

As to the first, "their title by occupancy," the answer would be, when the country was discovered, they were savages; and that this discovery, of itself, gave a right to form settlements, and to exclude all other civilized nations. That it conferred upon the nation of the discoverer and settler, the right to acquire the usufructuary interest which the natives had. It would be added, that, at a very early period, the Cherokees formed a treaty with Great Britain, by which they gave up their independence, and put themselves under the protection of his Britannic Majesty. That they took a part with the British Crown in the war of the Revolution. That the American arms were employed against them, and they conquered, when Independence was acknowledged, and the treaty of peace made with Great Britain. That this conquest conferred upon the respective *States*, within whose limits they were, all the rights, and gave them all the powers which the Crown had, *prior* to the Revolution. That this right still continued in the states, and never was yielded to the United States. That, in securing these rights, they severally exercised these powers, from the year 1776 up to the year 1785, in such manner, as, in their sovereign will, they believe to be wise and just, without any control from the United States.

That although, in the articles of confederation, there is a power given to the United States to make treaties with Indians residing *out* of their limits, yet there is, in the ninth article, an express saving to *each state*, of all its legislative rights *within its chartered limits*.

As to the second point, the political condition of the Indians, as established by treaties between them and the United States. The first and only treaty with the Cherokees, during the articles of confederation, was concluded in November, 1785.

By that treaty, a boundary is established, which allots to the Indians a great extent of country, within the acknowledged limits of both North Carolina and Georgia, and over which those states had actually legislated; had previously authorized by law the sales of land therein; a considerable quantity had in fact been sold to individuals, and the consideration money paid to the state.

Against this treaty both Georgia and North Carolina entered their *solemn protest*, it being, as they alleged, in violation of their *legislative rights*.

Not very long after this treaty, the Cherokees waged a war against the citizens of those States, which continued until some short time prior to the treaty of Holston, concluded in the year 1791.

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dian affairs.

This was the first treaty made with those Indians under the authority of the present constitution of the United States, and by it a new boundary is agreed upon, by which the limits before allotted to the Indians are reduced to a smaller compass.

By the seventh article, "*The United States solemnly guarantee to the Cherokee nation, all their lands not hereby ceded.*"

On the seventh day of February, 1792, an additional article to this last mentioned treaty, it is agreed upon, by which an addition of five hundred dollars is made to the annuity stipulated in the former treaty.

In June, 1794, another treaty is made between the parties, by which the provisions of the treaty of 1791, are revived, an addition made to their annuity, and provision for running and marking the boundary line.

In October, 1798, an additional treaty is concluded, by which former treaties are revived, the boundary of Indian lands curtailed by another cession to the United States, for an additional compensation.

In October, 1804, another treaty is concluded, by which more land is ceded by the Indians, for a consideration agreed upon and specified in the treaty.

In October, 1805, two treaties are made, by which the Indians cede an additional quantity of land.

On the seventh day of January, 1806, another treaty is concluded, in which more land is ceded to the United States; and in September, 1807, an explanation is agreed upon of the boundary line intended in the treaty last mentioned.

On the 22d day of March, 1816, another treaty is concluded, by which the Indians relinquish their title to lands in South Carolina, for which the United States engage South Carolina will make payment; and on the same day, another treaty is made, in which the Indians relinquish to the United States their claim to more lands, and agree to allow the use of the water courses in their remaining country, and also to permit roads to be made through the same.

On the 14th of September, 1816, another treaty is made, by which an additional quantity of lands is ceded to the United States.

On the 8th day of July, 1817, another treaty is concluded by which an exchange of lands is agreed on, and a plan for dividing the Cherokees settled. One part to remain east of the Mississippi; another to emigrate west of the Mississippi, to a country designated in the treaty; and those who might happen to fall within the territory ceded, to have *an election to become citizens of the United States*, and each head of an Indian family to have a reservation of six hundred and forty acres of land, to include his improvements.

And on the 27th of February, 1819, another treaty is concluded, intended to be in execution of the stipulations contained in

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dian affairs.

that of 1817, in several particulars, and in which an additional tract of country is ceded to the United States.*

These, as the committee believe, are all the treaties between the United States and the Cherokee nation on the *east side* of the Mississippi, and within the limits of any of the United States.

In several of them there are stipulations for *roads*, the *naviga- tion of rivers* and the *establishment of ferries within* the bounds reserved by the *Cherokees to themselves*, and guaranteed to them by the United States.

In virtue of these treaties, the Cherokees contend they have a valid and complete title to the lands of which they are in possession; and that they have a right to establish such government, as, in their own opinion, is best suited to their condition; and that such government is *independent* of any of the states within the limits of which any portions of their territory may happen to be; and that the United States stand *solemnly pledged* to protect them in the *peaceable enjoyment* of it against all the world.

On the other side, the states may admit, that, if the *political condition* of the Cherokees was to be considered, as it related to the *rights and powers* of the *United States only*, then it is true, they are, and ought to be, a community *sovereign*, in all respects, those only excepted in which they had by the treaties expressly *surrendered* their independence; and still contend that Georgia was a sovereign and independent state, from the 4th day of July, 1776, a period *anterior* to the union of the states, under either of the articles of confederation, or of the present constitution. That, as a sovereign state, she had a right to govern every human being within her limits, according to her own will, and to dispose of all the vacant lands, when, to whom, and for what consideration, she pleased. That she is still in the possession of all those rights and powers, excepting only such as she has expressly surrendered.

That she never has surrendered to the United States, either by treaty, or by any other means, the power to dispose of her vacant territory, or to authorize the establishment of a government within her limits, without her consent. So far from it, that the 9th article of the confederation forbids any violation of her legislative rights, and expressly provides that no state shall be deprived of territory for the benefit of the United States; and that the 3d section of the 4th article of the constitution expressly says: *No new state* shall be formed within the limits of one or more of the *old*, without their consent. And the 10th amendment of the constitution declares, that even "private property shall not be taken for public use, without making just compensation." That, if private property cannot be taken *without compensation*, the conclusion is very strong, that it was not intended to give a power to take the property which belonged to a *sovereign state*, under any circumstances whatever. That she never did give her consent to this disposition of either her jurisdiction or of her territory; so far from it, she entered her *solemn protest* against the *first treaty* formed in the

* For the several treaties with the Cherokee Indians referred to in this report—See chap. IV, page 112 to 152 of this volume.—*Publishers.*

year 1785, as violative of her rights, and that no inference can be drawn to her disadvantage, from her silence, or from any thing she may have said in relation to any subsequent treaty; because, in each of them, a change was made, by which a portion of her territory and jurisdiction was restored to her, and thus her condition rendered better than it was under the treaty of 1785, against which she had protested.

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She may further insist, that the second section of the second article of the constitution, which gives to the President, with the advice and consent of two-thirds of the Senate, power to make treaties, has no application to Indians within the chartered limits of any of the states; nor the eighth section of the first article, which gives Congress power to regulate commerce with the Indian tribes. That if Indians can be treated with, it must be those only who reside *out of the limits* of the states, and those with whom commerce may be regulated must be similarly situated; otherwise, that part of the second section of the first article, which forbids the enumeration of Indians residing within the states, and "not taxed," will be without any appropriate meaning. That although the United States may have contracted obligations with the Cherokee nation, yet they had *previously* contracted those equally as *solemn* with *each of the states*. That in the 4th section of the 4th article of the constitution, the following pledge is given: "The United States shall *solemnly guaranty* to *every state in this union* a republican form of government, and shall protect each of them against invasion, and on application of the legislature, or of the Executive, (when the legislature cannot be convened) against *domestic violence*."

She may ask, how can Georgia have a "republican form of government," co-extensive with her limits, unless a majority of her citizens are permitted to prescribe rules, to which *all must conform*? How will the United States have made good "guarantee against *domestic violence*," if they permit a portion of the population *within her limits* to establish a government, contrary to her will, with authority to prescribe rules inconsistent with those prescribed by herself? She may add, that it was in the confidence that this "solemn guarantee" would be sacredly kept, that she consented to *give up* any portion of her sovereignty, and become a member of the Union.

In addition, she may urge, that, in 1802, upwards of twenty seven years ago, she made a contract with the United States, by which they became bound to purchase any claim which the Cherokee nation, or any other, might set up to lands within her limits, as soon as such purchase could be made upon reasonable terms. That, for this stipulation, she paid, at the time, a valuable consideration, in lands which she conveyed. That, after waiting thus long, and seeing for several years past, the prospect of a compliance on the part of the United States decreasing, she had determined to exert her own sovereign powers, over her *whole* territory, in such a manner as she believes will be *just* to her whole population. That the object of this agreement was to obtain a benefit for herself, within her reserved limits, and that, if she

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should fail to receive the benefit she expected, she will take care not to suffer her condition to be made worse.

That she is yet sovereign, within her own limits, to every extent she was when she became a member of the Union, except so far as she expressly surrendered her sovereignty by the *terms* of the constitution. That, although she is determined to use her power within her limits, yet she owes it to her own character so to exert it as most to promote the happiness of every rational being who may remain subject to her control, no matter what may be his color, or in what language he may make known his wants.

Alabama and Mississippi may say they were a part of the state of Georgia, up to the time of the compact and cession, in 1802, and that they have been erected upon parts of the territory then ceded to the United States; and that, with the exception of the difference, produced by not owning the soil within their limits, they are entitled to the benefit of every argument which Georgia could urge in this controversy.

Should these arguments, or any others, in favor of the states, have the effect of proving that the United States have not the *power* to comply with the stipulations contained in their treaties with the Cherokees, on account of *prior* and *superior* obligations which they had contracted, it could not, in the opinion of the committee, take any thing from that character for integrity and good faith to which they are so justly entitled. None could suspect that the obligation was contracted with a design to mislead or to deceive; and while the United States are both able and willing to make a full and adequate compensation for all that may be lost for want of a *specific performance* of their agreement, their faith is preserved as inviolate as it would be if *all their stipulations were specifically complied with*. Should the Indians continue determined to reside where they now are, and become subject to the laws of the respective states in which they reside, no difficulty can occur, as your committee see no reason to apprehend that either of the states have it in contemplation to force them to abandon the country in which they dwell; but, if they determine to remain, and continue to insist on a separate and independent government, and refuse obedience to the laws of the states, the consequences which must inevitably ensue, are such as the humane and benevolent cannot reflect upon without feelings of the deepest sorrow and distress.

If, on the contrary, they should consent to exchange their present places of residence for a country west of the Mississippi, it is in the power of the United States to furnish one, suited, as the committee believe, to their wants and condition; where they can be secured against the intrusion of any other people; where, under the protection of the United States, and with their *aid*, they can pursue their plan of civilization, and, ere long, be in the peaceable enjoyment of a civil government of their own choice, and where christian and philanthropist can have ample scope for their labors of love and benevolence.

Your committee are of opinion, that ample means should be placed by Congress, in the power of the President of the United

States, to authorize and enable him to have the country west of the Mississippi, out of the limits of all the states, laid off into as many districts as may be deemed necessary for the residence of the Indians, now within the respective states, with which the United States have treaties; to have those districts accurately described; and, also, to make exchanges and purchases with such tribes, or parts of them, as may choose to remove; to give aid in the removal, and to contribute, for a season, to their support, at their new places of residence. For which purposes the committee ask leave to report a bill.

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Report of House of Representatives Committee on Indian Affairs.

[Made February 24th, 1830.]

No. 13. The Committee on Indian Affairs, to whom were referred that part of the first message of the President which relates to "Indian Affairs," and also sundry resolutions and memorials upon the same subject, make the following report:

The committee have been duly impressed with the delicacy and importance of many of the questions presented by the subject referred to them. They have felt, that the responsibility of their situation was increased by the consideration that, besides great interests of an ordinary kind, many entertain the opinion that the honor and character of the country are, also, in an eminent manner, placed in the keeping of Congress, at this juncture. They have, therefore, applied as much of their time as their other duties permitted, to the examination of such facts and principles, connected with the subject, as appeared to them to deserve most attention.

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The causes which have led to those embarrassments in the condition of the southern tribes of Indians, which are understood to require the attention of the government, will be noticed in the general views hereafter presented; but the preliminary remark may be indulged, that the questions which have grown out of those embarrassments, appear to involve the interpretation of various compacts, some of which are supposed to be conflicting, between the Federal Government and some of its own members, and between the Federal Government and the Indian tribes, besides a variety of other considerations of a less inflexible character. Regarding the nature of the questions presented, and the rights and interests to be affected by their decision, some general rules of interpretation suggest themselves, which, by their reasonableness, and the sanction they have received in practice, claim the rank of fixed principles, in settling the duties and obligations of all political societies. The committee suppose they will not be required to show, by any illustration or reference to authorities, that the faith of a government should, in all cases, be inviolably observed, and that, in attending to that indispensable duty, all its obligations should be considered; that all just and reasonable expectations, besides what may be expressly stipulated in a compact, should be allowed; and that the obligation is equal, whether a

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treaty or compact be made with a foreign state, with dependent or subject communities, or with individuals, citizens, or aliens. To these may be added, as applicable to the present inquiry, the following maxims and principles, which are equally sustained by reason and authority: 1st. Antecedent engagements or compacts are entitled to precedence in the observance of them. 2d. Stipulations, impossible to be complied with, either for want of power, or because they involve a violation of the rights of third persons or states, if not voluntarily waived, are to be compensated. 3d. The first duty of every government is to protect the rights and promote the prosperity of its own members; yet, the rights and interests of others, of whatever character or condition, are not to be wantonly restricted, nor in any case wholly disregarded.

The application of these principles to the conflicting claims of the southern Indians, and the states within whose boundaries they are located, the government has, heretofore, sought to evade by encouraging the emigration of the Indians, and making such provision for their permanent residence, west of the Mississippi, as, in the opinion of many of our statesmen, most distinguished for their justice and benevolence, as well as by their talents and experience, promised to increase their happiness, and to afford the best prospect of perpetuating their race. The execution of this policy has been interrupted by causes which threaten to delay it for some time, if not to defeat it altogether. The most active and extraordinary means have been employed to misrepresent the intentions of the government, on the one hand, and the condition of the Indians on the other. The vivid representations of the progress of Indian civilization, which have been so industriously circulated by the party among themselves opposed to emigration and by their agents, have had the effect of engaging the sympathies, and exciting the zeal, of many benevolent individuals and societies, who have manifested scarcely less talents than perseverance in resisting the views of the government. Whether those who have been thus employed, can claim to have been the most judicious friends of the Indians, remains to be tested by time. The effect of these indications of favor and protection has been to encourage them in the most extravagant pretensions. They have been taught to have new views of their rights. The Cherokees have decreed the integrity of their territory, and claimed to be as sovereign within their limits, as the states are in theirs. They have actually asserted such attributes of sovereignty, as, if indulged, must subvert the influence, and effect a radical change of the policy and interests of the government, in relation to their affairs. Some of the states, within whose limits those tribes are situated, have determined, by the exercise of their rights of jurisdiction within their territorial limits, to repress, while it may be done with the least inconvenience, a spirit which they foresee, may, in time, produce the most serious mischiefs. This exercise of authority by the states has been remonstrated against by those who control the affairs of the Indians, and application has been made to the Federal Government to interpose its authority in de-

fence of their claim to sovereignty. As the course pursued by the President, in regard to this application, appears to the committee to have been founded upon a correct construction of the duties and powers of the Federal Government, they would not have considered it necessary, to extend their inquiries beyond that part of the message, which recommends the policy of giving further encouragement to the emigration of the Indians, but for the opposite views contained in several memorials, which have also been referred to them. A due respect for the opinions of a number of respectable citizens in various sections of the Union, requires that some notice should be taken of the grounds which have been assumed in support of the pretensions of the Indians, and of the obstacles which, in the opinion of the committee, lie in the way of their indulgence by the government.

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It is not proposed to examine the various points which will readily suggest themselves to the mind of every person, as material to be adverted to, in any regular order. The Indians can be admitted to have no rights inconsistent with the rights of the states which they inhabit; and the states, on the other hand, can have no rights which necessarily come in competition with any admitted right of the Indians. Whatever views, therefore, which go to shew a right in the Indians, must, at the same time, prove a limitation upon state authority, so far as its exercise would defeat that right.

Principles of natural law, and abstract justice, are appealed to by some, to show that the Indian tribes within the territorial limits of the states, ought still to be regarded as the owners of the absolute property in the soil they occupy, and that they are to be regarded as independent communities, having all the attributes of sovereignty, except such as they have voluntarily surrendered. All civilized nations acknowledge the validity of the principles appealed to, according to their understanding of what they are, and profess to be governed by them in their intercourse with the rest of mankind. That the interpretation of those principles, as developed in the practice of nations, should vary with the progress of general science, is natural, and agreeable to the truth of history. What at one period, was held to be just and reasonable, in a succeeding age is condemned as cruel and oppressive. The errors of society, committed in the early stages of it, generally admit of correction; when detected by more enlarged and just views; but it is not always so. It often happens, that they become so closely connected with the very foundations of society itself, that any attempt to eradicate them would involve a dissolution of its bonds, and the destruction of all order—an extremity, forbidden by the very principles, the recognition of which pointed to the original mischief.

It is not, therefore, so important to attempt a definition of the nature and obligation of any abstract principles, about which there will always be conflicting opinions, as to state, with as much precision and certainty as possible, the interpretation of those principles, which are to be found in the maxims and practices of those civilized societies which settled this part of Ameri-

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ca, and of those which have since sprung up, in relation to Indian rights. The proofs of what that interpretation has been, are to be found in the charters, laws, constitutions, and general policy, of the various governments, colonial, state and federal; and to these, it would seem, we must look for the only admissible tests of the extent of Indian rights on the one hand, and of the rights and powers of the states and of the federal government on the other. The nature and condition of things, as they actually exist, must be taken as the groundwork of the future policy and action of the government upon this subject, and not what, in our opinion, they should have been.

The foundation of the states which constitute this confederacy were laid by christian and civilized nations, who were instructed or misled, as to the nature of their duties, by the precepts and examples contained in the volume which they acknowledged as the basis of their religious rites and creed. To go forth, to subdue and replenish the earth, were received as divine commands, or relied on as plausible prettexts to cover mercenary enterprises, by the governments which gave the authority, and the adventurers who first discovered and took possession of the new world. Whether they were right or wrong in their construction of the sacred text, or whether their conduct can, in every respect, be reconciled with their professed objects or not, it is certain that possession, actual or constructive, of the entire habitable portion of this continent, was taken by the nations of Europe, divided out and held originally by the right of discovery as between themselves, and by the rights of discovery and conquest as against the aboriginal inhabitants. In the Spanish provinces, the Indians became the property of the grantee of the district of country which they inhabited; and this oppression was continued for a considerable period. Although the practice of the crown of England was not marked by an equal disregard of the rights of personal liberty in the Indians, yet their pretensions to be the owners of any portion of the soil were wholly disregarded. The English colonies and plantations are known to have been settled and governed under various charters, commissions, and instructions, issued by the Crown to individuals and companies; some of which contained grants of extensive districts, to be held in absolute property, accompanied by certain political powers and privileges; while others contained grants of political privileges only. This difference in the nature and extent of the rights granted, gave rise to the distinction between the proprietary and regal governments among the colonies. Although the paramount sovereignty of the mother country was reserved in all the charters, yet as, in those which included a grant of the absolute property in the soil, there was no reservation of any part of it to the natives, they were left to be disposed of as the proprietors thought proper. It is matter of history, that the crown, having the power, under such restrictions as the spirit of the English institutions imposed, to regulate the affairs of those colonies which were originally, and of others which afterwards came under its control, by the forfeiture or surrender of their original charters, permitted the

Indians, in all of them, to be governed or otherwise disposed of, by the colonial authorities, without any interference on its part, until within a very short period before the Revolution. Thus it happened, that in all the colonies, the maxims and conduct adopted and pursued in relation to the Indians were substantially the same. Humanity, and the religious feeling of the early adventurers forbade that they should be thrust with violence out of the land. The trade with the great tribes of the interior was profitable, and the peculiar mode of warfare practised by the Indians, soon brought the colonists to perceive the advantage of cultivating peaceable relations with all of them. This interest, however, was found, in the progress of the new societies, to be opposed to another great interest; which was, that their resources should be increased, and the demands of the cultivator supplied, by appropriating the wild land within their limits as speedily as possible. The difficulty that was felt in reconciling these two interests, lies at the foundation of the policy which was adopted in relation to the Indians; and the expedients which were resorted to, in order to effect an object so important, constitute the evidence of what the policy of the country was, from that time up to the formation of the constitution. One of those expedients was, to appear to do nothing, which concerned the Indians, either in the appropriation of their hunting grounds, or in controlling their conduct, without their consent. It is not intended to be asserted that this device was employed by all the colonies, from their first settlements. It came, however, to be a general principle of action, upon this subject, at some period or other of their progress, and was adhered to, when found practicable, and in any degree consistent with their interests; but, in several instances, some of which occurred at an early, and others at a later period, the public interests were believed to require a departure from it; but in all the acts, first of the colonies, and afterwards by the states, the fundamental principle, that the Indians had no rights, by virtue of their ancient possession, either of soil or sovereignty, has never been abandoned, either expressly or by implication.

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The rigor of the rule of their exclusion from those rights, has been mitigated, in practice, in conformity with the doctrines of those writers upon natural law, who, while they admit the superior right of agriculturists over the claims of savage tribes, in the appropriation of wild lands, yet, upon the principle that the earth was intended to be a provision for all mankind, assign to them such portion, as, when subdued by the arts of the husbandman, may be sufficient for their subsistence. To the operation of this rule of natural law may be traced all those small reservations to the Indian tribes within the limits of most of the old states. The general court of Massachusetts fell short of coming up to the principle of natural law, but went beyond the general maxims of the period, when, in 1633, it declared, "that the Indians had the best right to such lands as they had actually subdued and improved." That government, at the same time, asserted its right to all the rest of the lands within its charter, and actually parcelled them out by grant among the white inhabitants, leaving to

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them the discretionary duty of conciliating the Indians by purchasing their title. The general assembly of Virginia asserted the unrestricted right of a conqueror, and at the same time, conceded what the principles of natural law were supposed to require, when, in 1658, it enacted "that, for the future, no lands should be patented until fifty acres had been first set apart to each warrior, or head of a family belonging to any tribe of Indians in the neighbourhood."

The recognition of this principle by the Federal Government may be seen, at this day, in those small reservations which are made to individual Indians, or to the tribe itself, upon the relinquishment of the body of their lands. These reservations are made in deference to the principles of humanity, and because it has been found expedient to the interests of the government making them. No respectable jurist has ever gravely contended, that the right of the Indians to hold their reserved lands, could be supported in the courts of the country, upon any other ground than the grant or permission of the sovereignty or state in which such lands lie. The province of Massachusetts Bay, besides the subdued lands already mentioned, during the early period of its history, granted other lands to various friendly tribes of Indians. Gookin, the great protector and friend of the Indians, about the time these grants were made, was asked, why he thought it necessary to procure a grant from the general court for such lands as the Indians needed, seeing that "they were the original lords of the soil?" He replied, that "the English claim right to the land by patent from their king." No title to lands, that has ever been examined in the courts of the states, or of the United States, it is believed, has been admitted to depend upon any Indian deed of relinquishment, except in those cases where, for some meritorious service, grants have been made to individual Indians to hold in fee simple.

Some of the colonies found it necessary, for the preservation of peace upon their frontiers, to establish a general Indian boundary, beyond which the white inhabitants were forbidden to settle, until authorised by law. These lines were generally in advance of the settlements. They were also commonly established in conformity with the stipulations made with the Indians in conferences or treaties. That these Indian boundaries were regarded as temporary, and implied no abandonment of principle upon which the country was settled, is clear from many circumstances attending them. In some cases, the laws by which these lines were established did not forbid the appropriation of the lands embraced in them by patent. Patents in two or three of the colonies or states, did actually issue under such circumstances; yet, these acts, implying, as they do, a most important act of ownership and sovereignty, have been solemnly adjudged valid by the judicial tribunals of the country most distinguished for their learning.

But the most decisive evidence of the light in which these reservations have always been viewed, in regard to the question of title, is to be found in the fact, that the crown or the proprietors of provinces, before the revolution, and the states, after that event,

succeeding as they did to the sovereignty over all the lands within the limits of their respective charters, have asserted the exclusive right, in themselves, to extinguish the title to lands reserved to the Indians, until the constitution was adopted. Since that time, the Federal Government has acted upon the same principle, in regard to lands belonging to the government. If the principle upon which this right is asserted, and the effect it has had in practice, be examined, it will be found to be a complete recognition of the original rule which the nations of Europe acted upon in the first partition and settlement of the country. Some of the states have incorporated this right in their constitutions, as a principle of primary importance. Laws have been passed in all the rest, in which there are Indian reservations granted by the states, declaring the same exclusive right.

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The committee do not understand, that, either the states, or the Federal Government, ever acted upon the principle, that it was necessary to obtain the consent of the Indians, before the right to exclude all competitors from the market of their lands could be asserted. It is asserted, upon the ground of ownership and political sovereignty, and can be sustained upon no other principles than those which our ancestors supposed to be well founded, when they denied to the Indians any right to more land than they required for their subsistence by agriculture. The Indians are paid for their unimproved lands as much as the privilege of hunting and taking game upon them is supposed to be worth, and the government sells them for what they are worth to the cultivator. The difference between those values is the profit made by asserting the original rights of discovery and conquest. The rigor of the original rule has been mitigated in the exercise of this right of pre-emption, in regard to such lands as have been improved by the Indians, for the same reason, that their right to such as they had subdued, was respected by the colonists in the early period of their history. Improved lands or small reservations in the states, are, in general, purchased at their full value to the cultivator. To pay an Indian tribe what their ancient hunting grounds are worth to them, after the game is fled or destroyed, as a mode of appropriating wild lands, claimed by Indians, has been found more convenient, and certainly it is more agreeable to the forms of justice, as well as more merciful, than to assert the possession of them by the sword. Thus the practice of buying Indian titles is but the substitute which humanity and expediency have imposed, in place of the sword, in arriving at the actual enjoyment of property claimed by the right of discovery, and sanctioned by the natural superiority allowed to the claims of civilized communities over those of savage tribes. Up to the present time, so invariable has been the operation of certain causes, first in diminishing the value of forest lands to the Indians; and, secondly, in disposing them to sell readily; that the plan of buying their right of occupancy has never threatened to retard, in any perceptible degree, the prosperity of any of the states. The extensive tracts of country, at first withheld from the agriculturist by reservations, in several of the old states, have been gradually

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reduced, by various cessions, made as they were required by the interests of the respective states, until the Indians, in most of them, already find themselves restricted to those small bounds, which the law of nature, as interpreted by our ancestors, prescribed as their right. With what steadiness this policy has been adhered to by the states generally, in regard to Indian reservations, in which they claimed the absolute property, may be seen by tracing its operation in any one of them: for, in all, the interest was the same, and in the results could not vary materially. The governor of the only one of the old states, except Georgia, inhabited by any considerable number of Indians, is, by law, a standing commissioner to treat with the Indians for any or all their lands.

In justice to the character of the early adventurers to this country, as well as to our own, it ought to be mentioned, that, from the period of the origin of these states, the interests of the white population and those of the Indians were understood by the whites not to be inconsistent with each other, in regard to the appropriation of forest lands.

Until a very late day, the opinion was very general, if it is not so now among the best friends of the Indians, that they could never be brought to relinquish their ancient habits, and to participate in the blessings of civilized society, until they were reduced, by the loss of their hunting grounds, to the necessity of seeking subsistence by agriculture, or by regular industry, in the practice of the mechanic arts. All the early plans for the amelioration of the condition of the Indians, had this sentiment for its basis. Some further apology for the manner in which this extraordinary race have been deprived of their ancient resources may be found in the Indian idea of property in lands. They do not appear to have had any conception that lands could be the subject of barter, until they were taught by the white man so to regard it. The ground covered by their moveable wigwams, to which might be added, in some parts of the continent, their small corn patches, constituted their only actual possessions. These they maintained, until driven from them by their enemies, or until they voluntarily abandoned them in search of new abodes. The boundaries of their villages were their only land marks. Game abounded every where, and, as the possibility of its scarcity had never occurred to them, each tribe took what game they wanted for their subsistence, as near the villages of other tribes as they chose in peace, or as they durst in war. By their interpretation of natural law, the whole country was a common hunting ground for all the Indians, while friends, and a common theatre of war among enemies. Their erratic and warlike habits necessarily produced frequent migrations of whole tribes from one part of the country to another. When one of these migrating tribes appeared in the neighborhood of the villages of another, if they were recognised as friends, they were welcome to set up their wigwams on any spot not already occupied, and the bounties provided by nature were freely shared with them. Thus it was, that, in scarcely any instance, in the history of the first settlements, did the natives re-

gard the European adventurers as intruders, after they became satisfied of their pacific intentions. Their alliance and protection were often sought by neighboring tribes, and invitations were some times given, to come and settle upon their ordinary hunting grounds. It was not until the Indians began to feel the effects of the destruction of their game, and other inconveniences which attended the near approach of the white settlements, that they began to complain of the appropriation of the lands around their villages. Up to that period, lands were voluntarily yielded; and extensive regions were ceded, for no other consideration than the gratuities which were usually bestowed at the talks or treaties held with them. The most sagacious of the Indians themselves, at this day, observing that whatever has, at any time, been given for their lands, has been rather swallowed than enjoyed by them, feel that they must look beyond the occasional appropriation of their hunting grounds, without their consent, for the cause of their misfortunes. Philip, of Pawkunawkutt, understood the extent of the calamity which had befallen his race, and the true reason of it. From the time of the first permanent lodgement of the white man upon these shores, the destiny of the red man was placed, perhaps, beyond the reach of human agency. There was one remedy—to have abandoned the continent to the undisturbed possession of the Indian.

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The extent of the political privileges conceded to the Indians, after the adoption of the principle, that they had no permanent interest in their hunting grounds, might be determined without resorting to the evidence furnished by legislative and judicial records. In the primitive condition of these tribes, they would have been independent in fact, if they had inhabited within the jurisdiction of the most powerful European state; and it would have been necessary to the safety and order of the established society, either to exterminate them in war, or to find out some other mode of making their existence compatible with those objects.

To govern turbulent and warlike bands of Indians by regular law, administered in the ordinary form, was impossible. To impose such restraints as were in the power of the Government to execute, was all that a practical people would attempt; and, therefore, what ordinary legislation and the regular administration of justice could not effect, the colonists sought to supply by gratuities, and appealing to whatever sense of the obligation of promises the habits of the Indians permitted, for the observance of such rules of intercourse, between them and the white population, as were agreed upon, in friendly conferences and treaties. These treaties were, therefore, but a mode of government, and a substitute for ordinary legislation, which were from time to time dispensed with, in regard to those tribes which continued in any of the colonies or states until they became enclosed by the white population. This transition from the practice of conciliating by treaty, to that of controlling by regular laws, has taken place, it is believed, with all the tribes in the old states, except Georgia; and in some of the new, as in Maine. It is true, that the legislation of most of the states, has been simple, and intended rather

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for the protection than the restraint of the Indians. The tribes thus brought within the ordinary jurisdiction of the states, are indulged in the enjoyment of their ancient usages, so far as such a license is found compatible with the peace and good order of society; and whatever restraints have been imposed for any purpose, seem, in general, to have been adapted to their condition, with a humane discrimination. When the Indians were wild and turbulent, all that was required from them was, that they should respect the lives and property of the whites. When they ceased to be hunters, and became surrounded by white population, their trade was no longer worth any thing; and being without energy, in any of the employments of peace, they had but little to contribute to society, and, of course, the duties exacted from them were simple and easy. Indeed, the principal part of the legislation concerning them, in any of the states, has been designed to save them from a state of general and helpless pauperism. By reason of the general indulgence allowed in the practice of their ancient habits and usages, and their exemption from the ordinary burthens of the state, the action of the Government upon them, would, of course, only become palpable to the observation of the public, in the trials, and sometimes in the executions which have followed, for the breach of criminal laws. These circumstances of their situation appear to have led some to suppose, that a portion of the ancient independence of these tribes still remained, which the states, in the exercise of their jurisdiction, could not affect. The committee, on this point, concur in the opinion of the supreme court of New York, expressed in a case in which this question incidentally arose, and in which the distinguished judge, who delivered the opinion of the court, declared that he "knew of no half way doctrine on this subject." A state either has jurisdiction or it has not. The authority which can rightfully punish for offences against the public peace and morals, and wrest from the Indian tribes the exercise of a part of their ancient usages, is competent to abolish the whole. The principle upon which jurisdiction is assumed, does not admit of division.

More than its due effect is often given to the circumstance of the actual independence which all the Indian tribes once enjoyed, and which many yet enjoy, within the territorial jurisdiction of the United States, in forming an opinion of the right of the appropriate sovereignty, where it finds it expedient, to bring them under the dominion of its laws. The distinction is not always adverted to, between privileges and immunities indulged, and such as are enjoyed as matter of right; between such as are acknowledged by law, and those which are merely tolerated, either because the state having the right, cannot, or does not care to interfere. The exercise of entire freedom in the regulation of every internal and domestic interest of a community, is not believed to be inconsistent with the most absolute subjection in every thing which concerns its external relations and connexions with the rest of society. The communities founded by Rapp and Owen, in the bosom of these states, in which it is understood property was enjoyed, and many usages established and respected among them-

selves, wholly different from the practice and customs of the surrounding society, do not seem to have been inconsistent with the sovereignty of the states in which they were located. The states had the right, whenever the practices of those communities became offensive to public morals, or dangerous to the public peace and welfare to suppress them. A state is not obliged to exercise all its rights of sovereignty at once; nor is it a new case, or one of uncommon occurrence, that a state finds itself deficient in the physical resources necessary to the exercise of its rights of sovereignty. Humanity has often pleaded successfully against the exercise of rights which belonged to a state as essential attributes of sovereignty.

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Observing that many of the states had asserted the right of jurisdiction over the Indian tribes within their limits, some of those who favor the claims of the southern Indians, have supposed that a distinction might be made between reduced tribes, and such as are still formidable by their numbers; between those who have submitted voluntarily, to the laws of the states, and others; and between such as had made treaties with the United States, and those which never had received any such attention from the government. As to the effect sought to be given to the numbers of a tribe, the general practice of the states seems to have established, that the rights of a tribe are the same, whether it consists of five, or five thousand souls. Reservations of land appear to have been made in reference to the Indian mode of enjoying that kind of property, and all the rights of the tribe, as it existed at the time of the grant, have been conceded to the surviving members, however few in number. Political rights, it is believed, as a general principle, have never been admitted to depend upon the numbers of the community which claims them; nor could a usurpation of them be justified upon any such grounds. If the states which have exercised jurisdiction over the Indians, had done so only upon a surrender of the separate political rights as a people, as such an act would imply one of the most affecting and solemn ceremonies which the intercourse between communities and nations can give rise to, the forms pursued upon such imposing occasions would have found a place among the historical records of the country. To attempt to give any such solemn effect to the submissions of the Sachem of an Indian village, who had not the power to resist, or to the more formal promises of obedience made by powerful tribes, and which were regarded, in general, as meaning nothing more than a promise to live in peace with the white population, seems to be supported by too little reason to deserve a serious notice. These stipulations were as often disregarded as any others into which the Indians entered; and it is not pretended that a formal surrender of political rights preceded the exercise of jurisdiction, in all cases. The policy of the country has always been to avoid provoking the Indians; and, even if it could be shewn, that the exercise of jurisdiction, in any case was avoided, because the Indians objected, still the right could not be affected. If a formal surrender of political sovereignty, by an Indian tribe, can be safely relied upon, in any case; or, if

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it would strengthen a claim of jurisdiction founded upon such surrender, to add to it the title of a conqueror, one of the southern tribes would have as little claim to independence as any other within the limits of the United States. In 1760, the Cherokees made a more formal and ceremonious relinquishment of their sovereignty, than any recorded in the history of this country. Besides the ceremony of submission, which took place in a general council of all the chiefs of the tribe, to Sir Alexander Cumming, as the representative of the King, six of the principal chiefs were selected, who actually went to London, and laid the crown of the Cherokee nation at the feet of the king, and acknowledged themselves subject to him, in the same manner their white brethren of the colony of Carolina were. Their allegiance was faithfully kept for twenty-five years. In 1755, they gave fresh pledges of it, the speaker of the council in which they were given, shewing a perfect understanding of the obligation his tribe had come under, when he said to the colonists, "one house covers us all." In that year, Fort Loudon was built, in the very midst of the fastnesses of the Cherokee country, and garrisoned by two hundred men. The war which ensued shortly afterwards, between them and the colonies, and the disastrous fate of Fort Loudon, need not be recited. At the commencement of the revolutionary war, the Cherokees again took up the hatchet against the colonies. In 1776, their whole country was overrun, and they asked for peace, in the most submissive terms; and it was granted to them, at the treaty held on Long Island, in Holston river and also at Duett's Corner. As soon as they supposed, from the critical condition of the colonies, during the further progress of the war, that they could gratify their revenge with impunity, they re-commenced hostilities, and, in 1781, their country was once more overrun. Their submission was also again accepted, and peace and their country restored to them. In the 9th article of the treaty of Hopewell, this tribe expressly stipulated, that the United States "should have the sole and exclusive right of managing all their affairs, in such manner as they think proper." But the character of the whole legislation of the states, in regard to the Indian tribes within their limits, shews, most conclusively, that their consent to a surrender, either of their lands or liberties, when the substance is looked at, instead of the forms of things, will be found to furnish no real foundation of authority or right to accept either of the one or the other. One of the first acts of most of the states, after assuming jurisdiction over the Indians, has been to declare, unequivocally, their utter incompetency to make a contract upon equal terms with the whites, or which should, in equity and good conscience, be enforced against them. Their lands and persons are both taken into wardship; and the members of ancient and independent communities appear no sooner to have yielded up their political privileges, than they have been declared in a state of pupillage, and incapable of managing their own private affairs. Most of the tribes in the old states have guardians, under some denomination or other, appointed by law to take charge of their property.

It will be found that no greater weight is due to the stately forms which Indian treaties have assumed, nor to the terms often employed in them, to designate the tribes with which they have been made. If mere names, and the forms of intercourse with barbarous tribes, are to be regarded as evidence of political sovereignty, the confederacy of Indians, so long known by the name of the Six Nations, might bring such proofs of their right to be considered free and independent nations, as could not be resisted. Those tribes have enjoyed a greater share of actual power, and made more treaties, in which their vanity has been flattered by the acknowledgement of their name and rank, as a confederacy of nations, than any other tribes known to the history of this country. They have alternately excited terror and respect in their intercourse with the white population of the colonies or states, and may justly claim to have exhibited the higher and finer traits of the Indian character in greater perfection than any other portion of their race in this part of the continent. Still, they were savages in their customs and feelings; and, like other tribes, they have been denied the right of absolute property in the soil of their ancient theatres of war, and have finally passed under the dominion of a civilized state. The United States have held frequent treaties with them; yet this circumstance does not seem to have altered the relations between them and the state which they inhabit. In the history of these celebrated tribes may be found the clearest illustrations of the views presented by the committee upon the subject of Indian rights generally. The trial of an Indian of the Seneca tribe for the murder of one of his own people, before a state court, about ten years ago, led to such an examination of the right of a state to extend its jurisdiction over the Indian tribes within its limits, as to cause the question to be settled in New York with great solemnity and deliberation. The Indian, it seems, was convicted, but was recommended for a pardon by the court, upon the ground that the state had indulged the Indians, up to that time, with the privilege of punishing for all offences committed by one Indian upon another; but all the Judges of the supreme court of that state, appear to have concurred in the opinion, that the state had jurisdiction of the case; and, in a communication to the governor, advised the enactment of a declaratory law upon the subject; and from motives of policy, recommended that small offences should still be left to be punished by the Indians themselves. But the committee of the legislature, to whom the subject was referred, reported "that, upon a deliberate consideration of the whole subject, and consultation with the judges of the supreme court, they were of opinion, that it would not be expedient to leave to the Indians the right to correct or punish their own people, for any violation of the laws of the state, or for offences against their own regulations, in any case;" and a bill was brought in, and passed into a law, in which it is declared, "that the sole and exclusive cognizance of all crimes and offences committed within that state, except only, such crimes and offences as were cognizable in the courts claiming jurisdiction under the constitution and laws of the

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United States, belonged of right to the courts holden under the constitution and laws thereof, as a necessary attribute of sovereignty." This act, it is clear, was not understood as introducing any new principle. It only marked the period in which the tribes inhabiting that state passed from a state of lawless independence under the protection and control of the civil magistrate; and recognised the general principles, that territory and jurisdiction, considered in reference to a state or nation, are inseparable; that one is a necessary incident to the other; and that, as a state, cannot exist without territory, the limits of that territory are at the same time the limits of its jurisdiction. What constitutes the territory of one of these United States, must be determined by its own charter or constitution; and the state of New York seems to have acted in conformity with this principle. The law declaring the jurisdiction of that state, has been enacted several years, and the committee do not find that its validity has ever been seriously questioned. It appears to the committee, that, when it is conceded as it must be, that a state or nation cannot exist, except in connection with territory, the single consideration of the nature of the title under which the Indian tribes occupy their reservations, is decisive of the extent of their separate political privileges. Before the settlement of this part of America by Europeans, the identity, and whatever of national character they possessed, were preserved by these tribes in all their migrations. The political or social bonds which united them as a people were personal merely. Hence, the Shawanees and Delawares, with diminished numbers, are the same tribes or nations now, that they were before the one was driven from the south by the Creeks, and while the other inhabited the banks of the Delaware river. This resulted, no doubt, from their general habits, and from the circumstance that they had no idea of a fixed property in lands before the partition of the country among civilized nations; and since that time, it is a condition imposed by necessity. Either the constitution, laws, and general policy of these states must yield; or the Indian tribes within their limits must continue to want an essential element of sovereignty.

The rights of the Indian tribes, generally, being limited, by the policy of the country, in regard both to property in the soil and the enjoyment of separate and independent privileges, in the manner which the committee have endeavored to point out, it follows, that, if the Cherokees, or any other Indian tribe, can claim an exemption from the operation of principles so long established, and adhered to so uniformly, it must be upon the ground, that a power competent to so important a purpose, has interposed to change the former policy of the country, and to establish new relations between them and the governments established by the white race around them. It is also clear, that no construction of Indian rights, which would give them a greater interest in the soil, or any separate political rights, must necessarily impair, in a corresponding degree, the proprietary interests, and political sovereignty and jurisdiction of any state, having the absolute property in the lands occupied by the Indians in its

limits. A power which can take away or impair a right of property in a state, and, at its discretion, set bounds to its jurisdiction, will be acknowledged to be of the greatest importance to be understood. This power is said to exist in the general government, under some one or all of several clauses of the constitution; in one of which it is provided, that the President "shall have the power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur;" and in another, that "Congress shall have the power to regulate commerce with foreign nations, and among the several states, and with the Indian tribes." To these may be added the war-making power, and the further provisions, that "Congress shall have power to dispose of, and make all needful rules and regulations respecting the territory or other property belonging to the United States." The power to treat with, or to regulate commerce with, the Indian tribes *within the states*, is not expressly given; and if such a power had been given, the question would still arise, whether it necessarily implied the right to interfere with, or defeat the rights of property and jurisdiction, in a state. The territory in which the general government had a proprietary interest besides the political sovereignty, would be clearly a proper subject for federal legislation; but the establishment of the boundaries of land in which the general government never had an interest, but in which a state did have the absolute property, seems to the committee to be carrying the doctrine of implication beyond a safe and reasonable limit.

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But waiving, for the present, the question of power, and supposing it to exist, the committee will inquire in what manner the Government was bound to exercise it. When Georgia became a party to the Union, more than three fourths of her present limits were claimed by the Creek and Cherokee Indians, in the same manner, that large portions of other states had, at some period or other, been claimed by other tribes. At the same period, her policy was, and always has been, such as has already been described as the general policy of the country, in relation to the extinguishment of the Indian title, and the appropriation of wild lands. The essential point in that policy may be briefly stated to be, that the Indian reservations should be gradually contracted within such reasonable limits, that no part of the country should continue uncultivated. Her policy in this respect, was a part of her rights. Any thing which tended to defeat its operation was a deprivation of right. That Georgia, having so great a proportion of her territory occupied or claimed by Indians, and her resources depending so much upon the prudent management of that interest, could have supposed, that she was surrendering the control of it, when she became a party to the Constitution, no one, it would seem, could believe without great hesitation. But, if it became necessary to the general welfare to maintain, that the exclusive control of this great interest of Georgia had passed from her to the Federal Government, as an incident to the treaty-making power, or to the power to regulate commerce with the Indian tribes; the obligations which thereby devolved upon the general government,

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in relation to the interests of Georgia, assumed new delicacy and importance, from the manner in which she was divested of the management of an interest so important to her future prosperity. The powers delegated by the constitution to the federal government, were accompanied by duties and responsibilities to its own members, of the most sacred character, which those who administer its affairs, in any of its departments, can never safely disregard. Admitting that Georgia, when she became a member of the Union, understood that she was confiding her most important domestic interest to the discretion of the Federal Government, it is proper to inquire what obligations were assumed on the part of the government, in consequence of that trust. Whatever these were, by every consideration of good faith, it would seem, should be strictly observed. The committee understand the Constitution to be a compact between states, or the people of states, which differs only from others, in this, that, upon the faithful execution of the stipulations contained in it, according to the true spirit and meaning of them, depend greater and more universal interests, than belong to any single state, or race, or generation.

When Georgia surrendered the power to treat with the Indians within her limits to the Federal Government, for the common benefit, if she did so at all, her just and reasonable expectations were, that the power would be wielded in accordance with her former policy, and continuing interests in regard to her wild lands, and the claim of the Indians upon them. Every departure from that policy, it would seem, was a breach of good faith on the part of the government. No emergency in the public service could authorize the general government to cede away a single acre of land or to change the title by which lands lying in the state of Georgia were held, without her express consent. If the improved humanity of the age requires that any mitigation in the construction of Indian rights should be indulged, care should be taken, that a policy, adopted in conformity with it, should be assented to by those whose interests or property are to be affected by it. Georgia might say to the Indian tribes upon her borders, you shall be asked to recede no further; but, if she has not thought proper to do so, the states who have already pushed the Indians beyond their own barriers, have no right to indulge a finer feeling by encouraging them to remain in Georgia. In the opinion of the committee, if the Constitution vested the Federal Government with the exclusive right to treat with the Indians in any of the states, then the compact of 1802, by which the United States undertook to extinguish the Indian title to the lands claimed by them in the state of Georgia, as soon as it could be done "peaceably, and upon reasonable terms," only superadded the obligation to pay the cost of the cession of them. The obligation to treat was perfect before, as respected the rights of Georgia.

The committee, feeling it to be their duty to avoid any contested point of constitutional power not absolutely necessary to be noticed, will only submit, in addition to what has already been said upon the general right of the Federal Government to interfere with the affairs of the Indians inhabiting any of the states, that, if it were

necessary to examine the question further, the strongest reasons would be found to exist for denying any such right.

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If it be admitted, however, that such a power exists, the necessary limitation of it will appear clear and indisputable, from the general purpose for which it is claimed; from the history of the period at which the Constitution was adopted; and from other provisions of the Constitution itself. All the powers of the government are acknowledged to be limited by the nature of the objects intended to be answered by the grant of them. A further limitation of the means by which many specific powers are to be executed, will be found in some fundamental principle of the Constitution, which was intended to be preserved entire. Such unyielding principles as these, of course, are closely identified with the main purposes of the Union. Thus, the prime object of the states, in becoming parties to the Union, was to secure their own existence; and besides the express guaranty of each of them, which is to be found in the fourth article of the Constitution, the whole of that instrument may be said to constitute a general guaranty of the states, embracing not only the territory included in the limits of each of them, but also the particular form of government therein established. It is a further fundamental principle of the Constitution, that all contributions, required for the public service, shall be apportioned among the states according to a fixed ratio; and that private property, shall, in no case, be appropriated to the public service, without compensation. Let these principles be applied to the exercise of a power to interfere in the affairs of Indian tribes within any of the states. The general purpose for which the power was given, if given at all, was to preserve peaceable relations between the Indians and the citizens of the United States. The control of the trade of the Indians being always regarded as the most efficient means of preserving peace with them, the power of regulating their commerce was, no doubt, given for that purpose. Whatever stipulation or provision, therefore, it might be necessary to embrace in any treaty or act of congress, to effect the general object of the power, it might be competent to the Federal Government to sanction, if such provisions and stipulations should not conflict with other interests or objects of equal or greater concern. If the friendly disposition of a tribe of Indians inhabiting territory belonging to the United States, could not be secured without giving them the absolute property in their hunting grounds, although the President and Senate, under the treaty-making power, might not be competent to dispose of the public domain for that purpose, yet congress, having the absolute control of the public property, might have the power to make the donation. But it would seem to be a different question, when the territory and jurisdiction of a state become the subjects of federal power, exercised for the purpose of preserving peace with the Indians; in that case, whatever might be effected, in securing the general object of the power, by gratuities in money, by supplying such articles of trade as the wants of the Indians required, and other means of conciliation, not inconsistent with the rights of property and jurisdiction in the state, would be no infringement

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on the Constitution; but whatever went beyond this limit, would be the destruction of the very interests for the security and preservation of which, the government itself was instituted, and would therefore be void. The objection that the power to treat with the Indians, or to regulate their trade, under this limitation, might be rendered inoperative by the obstinacy of the states, would be equally good against a limitation upon any other power of the government. If any part of the property or jurisdiction of a state may be disposed of by the Federal Government, to an Indian tribe, as a means of procuring peace, similar rights may be ceded, upon the same principles, to a foreign power, as the price of peace, with it also. Our ancestors do not appear to have acted upon such principles; nor do the framers of the Constitution seem to have thought it necessary to provide for the relinquishment, to any other people or nation, of a part of the jurisdiction and territory of one state, that others might be permitted to exist entire. Such a surrender of territory and jurisdiction is the resort only of a conquered people. Under the guaranty of the Constitution, it would appear, that, in this country, all the states must be protected and secured, at the hazard of all.

The difficulty of reconciling the exercise of any power, in relation to Indian tribes within the states, with other provisions of the constitution, seems to have been felt by those who were called upon to organize the government under it; and although, under the peculiar exigencies of the times, a practice was adopted in relation to this subject, founded more upon views of expediency and policy, than upon any clear constitutional principle yet it will be found, as the committee believe, that the rights and policy of the states have, in general, been recognised and respected by the government. From the peace of 1783, with Great Britain, until the adoption of the constitution, the Indians of the south as well as of the northwest were engaged in continual hostilities against the whites. About the close of the same period, or shortly afterwards, it is known that the difficulties between this country and the courts of Great Britain and Spain, assumed a serious aspect. The retention of the western posts on the one side, and the impediments that existed in the collection of British debts on the other, afforded matter for mutual crimination between Great Britain and the United States; and the dispute with Spain, upon the subject of boundary, and the navigation of the Mississippi, soon arose to an equal degree of bad feeling. About the same time, a general combination of the Indians, both of the south and west, menaced the frontiers. It was then suspected that the former ravages of the Indians had been encouraged by the foreign enemies of the United States, and it was afterwards satisfactorily proved, that their hostilities, during the whole of the first term of General Washington's administration, were not only encouraged, but that the means of carrying them on were actually furnished, by the agents or traders of Great Britain and Spain. The financial resources of the country, at the commencement of this period, had not yet developed themselves, and the regular troops in the service of the government, did not exceed a

single regiment. It was at such a crisis, and under such embarrassments, that General Washington and his cabinet were called upon to bear the principal responsibility in placing a construction upon the most important provisions of the constitution; and the extent of the treaty-making power, in regard to Indian tribes, was among the first points which it became necessary to settle. These causes, no doubt, exercised a powerful influence upon the practice which was adopted at that period, and which has been followed, without any serious opposition, until now, that an actual conflict of powers and jurisdiction is threatened.

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It was then, that General Washington appears to have conceived the design of establishing one connected Indian boundary, from Lake Erie, to the St. Mary's of the south, which should be in advance of all the white settlements, and of employing all the energies of the government to secure its observance. For this purpose, he caused a series of negotiations to be commenced with the various hostile tribes, which terminated in treaties, at different times, between 1789 and 1795, the stipulations in all of which are the same in substance. The first was made with the Creeks, in August, 1790, the fifth article of which is in the following words: "The United States solemnly guaranty to the Creek nation, all their lands within the limits of the United States, to the westward and southward of the boundary described by the preceding article." The next in point of time, was made with the Cherokees, in July 1791; the seventh article of which is in these words: "the United States solemnly guaranty to the Cherokee nation, all their lands not hereby ceded." The next in the order of the series seems to have been one made with the Indians the Wabash, in 1792: the fourth article of which, instead of a guaranty, contained a formal relinquishment of the claim of the United States, to the Indians, of all their lands not ceded by the treaty; but, when this treaty was laid before the Senate, the fourth article was regarded as expressing more than could be prudently admitted, and it was therefore not ratified. The treaty of Greenville, made by General Wayne, in 1795, with the tribes of the northwest, after describing a boundary from the mouth of the Cuyahoga, on Lake Erie, to a point on the Ohio, opposite the mouth of the Kentucky river, and the cession made by the Indians of the lands on one side of it, concludes with a relinquishment "of all other Indian lands northward of the river Ohio, eastward of the Mississippi, and westward and southward of the great Lakes and the waters uniting them." This relinquishment was explained in a subsequent article to mean no more than that the United States would not claim the lands relinquished to the Indians until they were willing to sell them. This treaty contained all the rigorous provisions for excluding white settlers from the Indian lands, with the same promise of protection which are to be found in the treaties of 1790 and 1791, made with the Creeks and Cherokees. This was also the last of a series which fixed the general Indian boundary described in the act of Congress of 1796, regulating the trade of the Indian tribes. The Cherokees were promised, in 1788, by the Congress of the confederation, that the arms of the Government would be

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employed against the white intruders upon the lands reserved to the Indians by the treaty of 1785, and a proclamation was published, menacing the same kind of interference. General Washington again, in 1789 promised the Indians to employ the most efficient means for their protection, as soon as the government should be authorized to act. The general government, at that time, and for some time afterwards, seems to have acted upon the supposition that the principal cause of Indian hostilities in the south, had been the unauthorized conduct of white men in settling upon the Indian hunting grounds. It was therefore thought necessary, in order to ensure peace, that some strong and decisive evidence should be given of the determination of the government to prevent, by force, any further intrusions upon the lands reserved for the Indians, and a guaranty of their boundary was thought of, as the means best calculated to effect that object. It was probably a device, adopted more for the intimidation of the whites, than for any effect it was likely to have upon the Indians themselves. If the United States had the power to fix a boundary in the state of Georgia, at all, good faith would have required the observance of it, without a guaranty. Entering into a guaranty could not confer a power, which did not exist before.

If any proof were wanting to show that the guaranty in the treaty with the Cherokees meant any thing more than has been already stated, it may be found in the gross violation of good faith, which any other construction of its meaning would involve, in the conduct of the government in its relations with the state and citizens of North Carolina. That state, in 1783, after allotting, voluntarily, to the Cherokees, a liberal portion of her western territory for their hunting grounds, asserted the right of appropriating the balance of the lands within her charter for the purpose of compensating the officers and soldiers of her line for their services in the revolutionary war; and to raise a fund for the payment of the debts she had contracted in the same contest. In the exercise of this right of sovereignty, she had sold a considerable portion of these lands to her own citizens, before the treaty of Hopewell, in 1785. Against that treaty, Georgia and North Carolina had both protested, as an infringement of their rights; and North Carolina continued the sale of her lands until 1789, when she ceded her western territory to the United States, upon the condition that the rights required by the purchasers of her lands, according to the provisions of her laws, should be respected. This cession was accepted, with its conditions, by congress, in 1790, and in the following year, the treaty of Holston was made, which included, in the Indian boundary, not only a large portion of granted lands, but a whole district of country, to which the Cherokees had never even set up a claim, until about the close of the Revolutionary war. The Duck and Elk river country of Middle Tennessee, the Cherokees never had any right to, even according to their own loose and indefinite mode of making out a title to hunting grounds.

In what light the Creeks and Cherokees themselves regarded this novel stipulation in an Indian treaty, may be fairly inferred

from their conduct. There are thousands of living witnesses to the fact, that the treaties of 1790 and 1791, made with the Creeks and Cherokees, can be said to have procured scarcely a temporary suspension of hostilities. When it was understood by the federal government, that the Cherokees continued their depredations, after the treaty of Holston, and after all complaints of intrusions upon their lands had ceased, some of their chiefs were prevailed upon to visit the seat of government, where, in July 1792, they procured a voluntary addition to the annuity provided by the treaty of the preceding year, and were sent home loaded with favors. While a part of the tribe were thus flattering the government with assurances of peace, the rest of them had been engaged in preparing for a more general war. In September, 1792, upwards of seven hundred Cherokee and Creek warriors attacked Buchanan's station, within four miles of Nashville, headed by the notorious John Watts, one of the signers of the treaty of Holston. A dangerous wound received by Watts, during the attack, was supposed by many to have saved the station. In September, 1793, between twelve and fifteen hundred Indians, of the same tribes, invaded the settlements on the Holston river, and actually destroyed Cavit's station, in the neighborhood of Knoxville. The intermediate periods, between 1791 and 1795, were filled up by the incursions of smaller war parties; and it was not until the latter year that the frontiers found any repose from the murders and ravages of the Indians. The general tranquillity enjoyed after that time, does not appear to have been the result of any treaty. Even the treaty of 1794, by which the Cherokees received an addition of \$,500 dollars to their former annuities, had not the effect of securing their friendship. The victory of the 20th of August, 1794, over the northern Indians, with whom the Creeks and Cherokees had kept up a regular correspondence; the expedition which was secretly planned, for carrying the war into the Cherokee country, and which was successfully conducted by the suffering frontier inhabitants; and the pacific dispositions of the Spanish authorities of Florida, which preceded the treaty of 1795 with Spain, were the actual restorers of peace.

After this time, the government was under no obligation to renew the guaranty contained in the treaties of 1790 and 1791, with the Creeks and Cherokees, but, as it has done so, it only shows, that that stipulation was not believed to affect the nature of the title by which those tribes held their lands, or to introduce any new principle, in relation to their rights generally. But, a reference to a few leading points in the general policy of the country, in relation to Indian tribes, and the lands occupied by them, will show, that, at no period, has the opinion been entertained or acted upon by the government, or by the people of this country, that the Indians had either the absolute property, or the political sovereignty, in any of the reservations held under any treaty made with the federal government. The general Indian boundary established by the act of 1796, is believed not to have interfered with any of the civil divisions of the states through which it passed, in which justice was regularly administered.

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The Indian intercourse laws of 1793, 1796, 1799, and the permanent act of 1802, recognize the distinction found in the 9th article of the confederation, between such tribes as had passed under the actual control of the laws of a state, and others which, while they were liable to such control as inhabitants of the state, yet, by reason of their fierce and savage habits, had not been, in fact, subject to the laws. These sets except from their operation the trade of such tribes as "are surrounded by white population, and within the ordinary jurisdiction of any individual state." In the spirit and policy of most of the provisions of the Indian intercourse laws, the southern tribes do not seem to be embraced, as they are at present situated. Acting in reference to the same distinction, the government took under its control, some tribes, soon after its organization, which have since been silently and gradually permitted to pass under the government of the civil magistrate of the state which they inhabited. Upon a full knowledge of all that had been stipulated with the Creeks and Cherokees, and, at the same time, it must be presumed, with a perfect understanding of their meaning, the federal government has made the most important political calculations and arrangements, and exercised the highest power given by the constitution, in the admission of new states, embracing those tribes within their limits.

But, if the views presented in the preceding part of this report be correct, the right of jurisdiction in the state remains unimpaired, whether the general government, by any of its acts, intended to confer any separate political privileges, or whether the Indian tribes so understood the government, in any of its transactions with them, or not. The superior right of the state to the control of every inhabitant within its territorial limits, whether citizen or alien, must prevail over every inferior or inconsistent claim. And, after all, since it is understood that neither Georgia nor any other state will attempt to appropriate the lands within the Indian reservations, without their consent, the only subject of complaint left to the Indians, will be, that they may be compelled to yield to the jurisdiction of the states. The lands which constitute the object of the guaranty of the United States still remain to be enjoyed by them. All the states, within the limits of which any portion of these tribes may continue to reside, when they shall come to consider of a permanent policy in relation to them, will, no doubt, model it by a standard, which the enlightened humanity of the age will approve as appropriate and just. The committee do not believe that the exercise of jurisdiction by the states, over the southern Indians, will materially affect either their present happiness or their future prospects. Their chiefs, or those who have managed to place themselves at the head of their affairs, will be the principal sufferers by the change. With this class, it is not the fear of being governed by laws, unsuitable to their condition, which makes the idea of passing under the jurisdiction of a state so terrible: for, in general, they have the means and the habits of making themselves comfortable under any system; but much of their present power and

consequence drops from them the moment the laws of the state take effect over their reservations. Those of them who have been the fathers as well as the chiefs of their people, as in former times, will receive the public sympathy; but their power of doing good and of enjoying the love of their people, will not be taken from them. That there may be some such, the committee believe; but that in general, in the southern tribes, avarice, and a corrupt love of power, have supplanted every thing that claimed respect in the former practice of their chiefs, the committee are well satisfied. In all these tribes, it appears that a very small number of artful and ambitious men, and sometimes white men, thrust themselves into the management of their affairs, and secretly or openly become absolute in the direction of them. The personal consequence which follows the possession of power every where, may be some inducement to seek this pre-eminence; but the annuity system will, perhaps, be found to be the great source of corruption among the principal Indian chiefs. To have the control and distribution of them, is believed to be the highest object of ambition, with the greatest number of them. The destruction of an influence, acquired for such a purpose, does not seem to call for many regrets. As to the mass of the Indian population, they can seldom feel the operation of the law, except for the violation of the criminal laws of the state in which they reside. Most of their ancient usages, their dances, their ball plays, and their right to take game wherever they can find it, will still be their privileges. They will have but little use for the government of their chiefs, unless the means of subsistence could be supplied by them. A middle class, which is composed chiefly of a mixed race, will become good citizens, or be permitted to enjoy their property and liberty, with no other restraint than is imposed in the natural obligation to respect the rights of others. The most serious inconvenience attending the assertion of the rights of jurisdiction over the Indians by the states, will arise from the operation of two or three distinct codes of law over different parts of a people, whose usages and laws have heretofore been uniform. But, in the opinion of the committee, the jurisdiction or laws which may be brought to operate upon this singular race, is not the evil, which those who cannot be indifferent spectators of their condition, have most to dread in relation to them. The true nature of the calamity which threatens them, and from which some power, competent to save them, is invoked, by so many considerations of generosity and pity, will be partially understood, when the fact, which, to many, must be incomprehensible, is stated, that, out of a population of 60 or 65,000 souls in the enjoyment of twenty-five or thirty millions of acres of fertile land, 50 or 55,000 may be said to have no property at all, and that a large portion of them are in fact below the condition of the common paupers among the whites. The southern tribes do not present the case of a few hundred, or a few thousand Indians, who may have remained on a reservation enclosed by the white population of other states: they present the *materiel* of a future mass of wretchedness and degradation, which, to

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those who have duly considered the Indian character, and the causes which have heretofore, and, under similar circumstances, will continue to depress and debase their condition, must appear truly frightful. That the greatest portion, even of the poorest class of the southern Indians, may, for some years yet, find the means of sustaining life, is probable; but when the game is all gone, as it soon must be, and their physical as well as moral energies shall have undergone the farther decline, which the entire failure of the resources of the chase has never failed to mark in their downward career, the hideous features in their prospects will become more manifest.

The committee do not mean to exaggerate, either in the statement of facts, as they are believed to exist, or in the deductions which they make from them, as to the future prospects of the Indians. The intelligent observer of their character will confirm all that is predicted of their future condition, when he learns that the maxim, so well established in other places, "that an Indian cannot work," has lost none of its universality in the practice of the Indians of the south; that there, too, the same improvidence and thirst for spirituous liquors attend them, that have been the foes of their happiness elsewhere; that the condition of the common Indian is perceptibly declining, both in the means of subsistence, and the habits necessary to procure them; and that, upon the whole, the mass of the population of the southern Indian tribes are a less respectable order of human beings now, than they were ten years ago. But the actual condition of these tribes is so important and interesting a part of the subject submitted to the committee, that they would fail in their duty to the house, if they passed it over without some further notice of it. The Cherokees are generally understood to have made further advances in civilization than the neighboring tribes, and a description of their real situation may make it of less importance to notice, in detail, the condition of the others. Upon this point, the committee feel sensibly the want of that statistical and accurate information, without which, they are aware that they cannot expect their representations to be received with entire confidence. To supply this deficiency, however, they have sought information from every proper source within their reach, and do not fear that the general correctness of their statements will be confirmed by the most rigid scrutiny.

The sum of the present comforts and happiness of the Cherokees, the committee suppose, must be estimated in reference to their numbers; and, as it is the interest and happiness of the race of Indians, which claim the chief regard, they have thought it proper to exhibit the relative condition of the Indians of unmixed blood, and that of the white man, and of the mixed race, which has been the consequence of a union between the two former. The committee have felt some difficulty in settling upon any principle, either of natural justice or of expediency, by which white men and members of the neighboring civilized societies, who have, at various periods, and from a variety of motives, settled among the Indians, can claim to be considered a part of

them, and to share equally with them in the property and resources of the tribe. It has also appeared not improper to remark, that a mixed race, of distinct moral habits, many of whom may, with more propriety, be classed with the white than with the red race, do not seem to have an equal claim upon our sympathies with the pure blood of the aboriginal family. The population of what is called the Cherokee nation, East of the Mississippi, may be estimated at about 12,000 souls. Of these, about 250 are white men and women, who have married into Indian families. About 1200 are slaves; and the balance of the population consists of the mixed race and the pure blooded Indians; the former bearing but a small proportion to the latter caste. This classification of the inhabitants by their color, admitting it to be correct, would, in the absence of any further information, enable the acute observer of the Indian character to assign to their proper classes, whatever of improvement in the arts of civilized life, general intelligence, and wealth, are known to distinguish this tribe above others. The Cherokees have had, for more than a century, the advantage of the example and instruction of men reared in the bosom of civilized society. Many of the white men who have at various times settled among them, possessed no small share of intelligence and practical acquaintance with the more simple mechanic arts. These were first traders, some of whom are said to have formed such attachments and connexions among them, as to induce them finally to become members of the tribe. Others were refugees from the justice of the whites and the restraints of regular law; but the greatest influx of white men, into the Cherokee country, occurred in the time of the revolutionary war. The class which came in, at that time, were chiefly frontier inhabitants of the neighboring colonies, who, like the Cherokees themselves, took the side of the mother country in that war. These were the ancestors, on one side, of most of that mixed race, which now enjoys the principal influence in the tribe. The refugees during the revolutionary war, are understood to have carried some property with them, and to have laid the foundations of most of the fortunes which are now enjoyed by their descendants. These men would, of course, seek to strengthen themselves by forming alliances with the most influential chiefs; and the avarice of the one being combined with the authority of the other, easily secured to themselves the principal part of the slaves and other property plundered from the frontier inhabitants of the states in a long war. The property thus acquired has been since greatly increased by births among the slaves, and by the profits derived from furnishing supplies and accommodation to travellers and traders upon the highways connecting the population of the neighboring states. Upon these roads are to be found nearly the whole wealth and civilization of the tribes. The white men, who have at more recent periods become members of the tribe, have been influenced chiefly by mercenary motives. Avarice, and a spirit of accumulation, accompanied the first, as well as the last of those members of civilized society who have united their destinies with the Indians. The results of this mixture of two races, and of a

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society formed necessarily upon the principles of the superior one, have been natural, and such as might have been expected. Ambition has been recently engrafted upon avarice, with a generation which found itself already in possession of wealth. The sons of many of the wealthy Cherokees of mixed blood have been sent into the adjoining states, and regularly educated. The desire of personal and family consideration and distinction, which generally accompany intelligence and wealth, could not be gratified in any other manner so well as in the official stations of a regular government. The possession of property also, of itself, prompted to the necessity of securing its enjoyment, by some more stable institutions than Indian usages supplied. These two interests have been the simple and natural origin of the present Cherokee government.

Humanity would be gratified to find, in the composition of this infant society, and in the operation of the government established by it, the means of improving and elevating the aboriginal race of the Indians; but the committee are constrained to believe, from the effects of the new institutions, and the sentiments and principles of most of those who have the direction of them, that the Cherokee Indians, of pure blood, as they did not understand the design, so they are not likely to profit by the new order of things. From the time when the maxims and passions of the white men, who settled in the Cherokee country, began to infect the conduct and principles of the leading chiefs; and more especially when the mixed race began to assert its superiority, may be dated the commencement of the deterioration of the mass of the tribe. That part of their ancient usages which secured an equal division of the presents and spoils which fortune threw in their way, has been slowly undermined. Wealth has long since become the principal badge of distinction among them, and those who possess it constitute a distinct class. However patriotic or public spirited some few individuals of those who were active in forming the new government may have been originally, they have at last been compelled to yield to the general spirit of those around them; and the only tendency yet perceivable in the new institutions has been to enable those who control them to appropriate the whole resources of the tribe to themselves. For this purpose, they have, in effect, taken the regulation of their trade into their own hands. They appear, also, to have established something in the nature of a loan office or bank, in which are deposited the funds arising from the annuities payable by the government; and these are lent out among themselves or their favorites. The committee have not been able to learn, that the common Indians have shared any part of the annuities of the tribe, for many years. The number of those who control the government are understood not to exceed twenty-five or thirty persons. These, together with their families and immediate dependents and connexions, may be said to constitute the whole commonwealth, so far as any real advantages can be said to attend the new system of government. Besides this class, which embraces all the large fortune holders, there are about two hundred families, constituting a middle class, in the tribe. This class is composed of the Indians of mixed blood, and white men

with Indian families. All of them have some property, and may be said to live in some degree of comfort. The committee are not aware that a single Indian of unmixed blood, belongs to either of the two higher classes of Cherokees, but they suppose there may be a few such among them. The third class of the free population is composed of Indians, properly so denominated, who, like their brethren of the red race every where else, exhibit the same characteristic traits of unconquerable indolence, improvidence, and an inordinate love of ardent spirits. They are the tenants of the wretched huts and villages in the recesses of the mountains and elsewhere, remote from the highways and the neighborhood of the wealthy and prosperous. This appears to be the class indicated by a native Cherokee letter writer, as "the lowest class of peasantry," and which he admits he does not include in his description of the progress of civilization among the Indians. It will be almost incredible to those who have formed their opinions of the condition of the Cherokees from the inflated general accounts found in the public journals of the day, when it is stated that this class constitutes, perhaps, nineteen out of twenty of the whole number of souls in the Cherokee country. The lowest estimate of their number which the committee have received from any source entitled to confidence, embraces nine-tenths of the whole. Some portion of the Indians forming this class, are less desponding in their temper, and exhibit a greater degree of energy than the others, in obtaining the means of subsistence; but still, this class of Cherokees, as a whole, are believed to approach nearer to a state of absolute destitution than any other Indians of the south, except perhaps the Florida Indians, and a part of the Choctaws. The same causes which have contributed to elevate the character and increase the comforts of the mixed race, have tended to diminish the means of subsistence among the Indians of purer blood. Victims alike to the arts of the worthless white men from without, and to the crafty policy of their own rulers within, they have become a naked, miserable, and degraded race. Among the Creeks, what property they have, is more generally distributed, and the spirit of their warriors still exerts a feeble control over the conduct of their chiefs. The Chickasaws find some resource in the large annuities; but the less provident portion of the Cherokees often find themselves reduced to the necessity of relying upon wild fruits, birds, and fish, for the support of life. The moral condition of this class does not appear to compensate in any degree for their deficiency in the means of mere animal existence.

If this representation of the condition of the common Indians shall appear too highly colored, when contrasted with those glowing pictures of their happy and improving condition, with which the christian world has been so long cheered, the committee can only say, in explanation, that both sides of the picture may still be substantially true, when viewed in reference to distinct classes. As wealth and a lighter complexion do not necessarily imply any great degree of moral cultivation, it is probable that the resident missionary or teachers have found an ample field for their labors

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among the more fortunate portion of the tribe. They, as well as the benevolent traveller, may have regarded the higher class as a nucleus, around which, they might finally bring the naked and hungry wanderer, whom they rarely saw, except about the farms and doors of the wealthy, gradually to arrange and form themselves, by the observance and practice of the customs and arts of civilized life. With such anticipations, however delusive, if the abject condition of the mass has been veiled from the public view, the pious fraud may be excused, if not justified. In accounting for the errors which so generally prevail upon this subject, it should not be overlooked, that missionary teachers, to be useful to any portion of the tribe, must necessarily, in some degree, become parties to the views and interests of those in power. A different course would, without doubt, render their situations neither agreeable nor useful.

The nature and the degree of the opposition made to the policy of removal beyond the Mississippi, among the different classes, will be found to be graduated by their actual or supposed interests. It is obvious that the new government party among the Cherokees are influenced by the most powerful incentives to human action, in wishing to maintain their present position. Every consideration of present affluence, of the means of future acquisition, and personal consequence, urge them naturally and powerfully to the employment of all their resources, whether of wealth, or of their political relations with their own people, to effect the permanency of the institutions already established, or meditated, in the country which they now occupy. When it is known that they are able to employ much talent and address in the conduct of their affairs, it is not surprising that, besides the influence they have established among the Cherokees, fearing the consequence of standing alone against the policy of the United States, they have sent their emissaries among the Creeks, and acquired a manifest influence in their councils, upon the question of emigration. At home they have been, as might have been expected, chiefly successful upon the inert, desponding, and ignorant mass which has been described. A portion of the common Indians are understood to be opposed to emigration. Having no will or principle of action of their own, most of them yield themselves readily to the suggestion of those in authority among them. Many of them have been taught to entertain the most unnatural and improbable fancies in relation to the nature of the country west of the Mississippi, as well as of the motives of those who advise them to go there; yet the influence which produced, could no doubt destroy this repugnancy to emigration. The middle class, who have property, as well as the more discerning of the common Indians, do not appear to have been so easily managed. They have been controlled through another medium, both among the Cherokees and Creeks. Besides the penalties and disabilities imposed by the laws upon those who enrol themselves for emigration, menaces of personal violence have not only been made, but in many instances they have been executed in the most barbarous manner, either by those highest in authority, or by their partizans.

If the committee have not wholly misstated the condition of the southern Indians, it will be apparent; that the common feelings of humanity, besides the obligations incurred in the past intercourse of the government with them, require, that whatever means may be constitutionally employed, should be liberally applied for their relief. If they remain where they are, the experience of two centuries has shown, that they eventually must perish. The assimilation of the two races, which has been commenced, cannot be relied on to save such masses as the southern tribes present. The common Indian is already in danger of being regarded as a degraded caste in his own country. The experiments which have been made, do not furnish any very flattering evidence of the practicability of civilizing Indians, in large masses, under any circumstances; but the efforts commenced and superintended by such men as Elliot and the Mayhews appear to have been, seem to be conclusive, as to the fate of the Indian when in contact with the whites. If the past could be recalled, and the eight or ten thousand Indians, including children, who, it is said, at one time, in Massachusetts and New Plymouth colonies, attended church regularly and orderly, supplied many of their own teachers, and a great portion of them being able to read and write, could be transplanted into some territory upon the western frontier, and there, under the protection of the whites, but free from the actual and constant presence of a superiority which dispirits them; and from those vices which have always been their worst enemies, the problem of Indian civilization might be solved, at last, under the most favorable circumstances. If the condition of the southern tribes is not so flattering as that of the Indians of New England, at the period alluded to, still, the improved condition and habits of the mixed race would be a great advantage in any attempt to elevate the condition of the common Indian, in a new country. Whatever civilization may be found among them, and the more there is of it the better, may be made the basis of a society west of the Mississippi, which may have the happiest effects upon the condition of all the western tribes. This plan, at all events, offers a prospect, which may never again occur, of atoning, at last, for any wrongs inevitably incident to the settlement of the country by the white race, in a manner worthy of the character of the government. To give the experiment every advantage in the power of the government, their new country should be secured to them in such a manner, that they would cease so be haunted with the prospect of future changes in their residence. The stimulant, so powerful and important in its effects upon the white man, of a separate and exclusive property in lands, with the privilege of transmitting it to their children, should be supplied to the Indians, in their new country, under such guards against the improvident disposition of them by the grantee, as prudence may dictate. To these provisions, it would seem, must be added ample means of moral instruction; without these, there can be little hope of reclaiming the present generation of the common Indians, or of securing the amelioration of the next.

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The country which has heretofore been designated as proper to be allotted to the Indians, although not exhibiting the same variety of features with some portion of the country now occupied by them, possesses, in the outlet which it affords to a great western common and hunting ground, not likely to become the early abode of the white race, an advantage and relief to the adult Indians of the present generation, which, in the opinion of the committee, cannot be supplied in any other shape. If this country is secured to the Indians, or such portions of it as shall be satisfactory to them, it is believed the greatest objection will be removed which has heretofore existed with any portion of the more sagacious Indians, having no more than a common interest in remaining where they are, to the plan of emigration. If such measures shall be resorted to, as will satisfy the Indians generally, that the government means to treat them with kindness, and to secure to them a country beyond the power of the white inhabitants to annoy them, the influence of their chiefs cannot longer prevent their emigration. Looking to this event, it would seem proper to make an ample appropriation, that any voluntary indication, on the part of the Indians, of a general disposition to remove, may be seconded efficiently by the government.

In conformity with these suggestions, and to effect the object recommended in the message, the committee beg leave to report a bill.

No. 14. An act to provide for an exchange of Lands with the Indians residing in any of the States or Territories, and for their removal West of the river Mississippi.

[Sec. 1.] *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That it shall and may be lawful for the President of the United States to cause so much of any territory belonging to the United States, west of the river Mississippi, not included in any state or organized territory, and to which the Indian title has been extinguished, as he may judge necessary, to be divided into a suitable number of districts, for the reception of such tribes or nations of Indians as may choose to exchange the lands where they now reside, and remove there; and to cause each of said districts to be so described by natural or artificial marks, as to be easily distinguished from every other. Districts to be laid off.

Sec. 2. *And be it further enacted,* That it shall and may be lawful for the President to exchange any or all of such districts, so to be laid off and described, with any tribe or nation of Indians now residing within the limits of any of the states or territories, and with which the United States have existing treaties, for the whole or any part or portion of the territory claimed and occupied by such tribe or nation, within the bounds of any one or more of the states or territories, where the land claimed and occupied by the Indians, is owned by the United States, or the United States are bound to the state within which it lies to extinguish the Indian claim thereto. President to exchange, &c.

Sec. 3. *And be it further enacted,* That in the making of any such exchange or exchanges, it shall and may be lawful for the President solemnly to assure the tribe or nation with which the exchange is made, that the United States will forever secure and guaranty to them, and their heirs or successors, the country so exchanged with them; and if they prefer it, that the United States will cause a patent or grant to be made and executed to them for the same: *Provided always,* That such lands shall revert to the United States, if the Indians become extinct, or abandon the same.

Sec. 4. *And be it further enacted,* That if, upon any of the lands now occupied by the Indians, and to be exchanged for, there should be such improvements as add value to the land claimed by any individual or individuals of such tribes or nations, it shall and may be lawful for the President to cause such value to be ascertained by appraisement or otherwise, and to cause such ascertained value to be paid to the person or persons rightfully claiming such improvements. And upon the payment of such valuation, the improvements so valued and paid for, shall pass to the United States, and possession shall not afterwards be permitted to any of the same tribe. Improvements to be appraised and paid

Sec. 5. *And be it further enacted,* That upon the making of any such exchange as is contemplated by this act, it shall and may be lawful for the President to cause such aid and assistance to be furnished to the emigrants as may be necessary and proper to enable them to remove to, and settle in, the country for which they may Aid in moving &c

have exchanged; and also, to give them such aid and assistance as may be necessary for their support and subsistence for the first year after their removal.

Protection.

Sec. 6. And be it further enacted, That it shall and may be lawful for the President to cause such tribe or nation to be protected, at their new residence, against all interruption or disturbance from any other tribe or nation of Indians, or from any other person or persons whatever.

Sec. 7. And be it further enacted, That it shall and may be lawful for the President to have the same superintendence and care over any tribe or nation in the country to which they may remove, as contemplated by this act, that he is now authorized to have over them at their present places of residence: *Provided,* That nothing in this act contained shall be construed as authorizing or directing the violation of any existing treaty between the United States and any of the Indian tribes.

Sec. 8. And be it further enacted, That for the purpose of giving effect to the provisions of this act, the sum of five hundred thousand dollars is hereby appropriated, to be paid out of any money in the Treasury, not otherwise appropriated.

Approved, May 28, 1830.

ANDREW JACKSON.

FURTHER SUPPLEMENT.

Treaty between the United States of America and the Confederate Tribes of the Sacs and Foxes; the Medawah-Kanton, Wahpacoota, Wahpeton and Sissetong Bands or Tribes of Sioux; the Omahas, Ioways, Ottoes and Missourias.

ANDREW JACKSON, PRESIDENT OF THE UNITED STATES OF AMERICA.

To all and singular to whom these presents shall come, greeting:

Whereas, a treaty between the United States of America and the Confederate tribes of the Sacs and Foxes; the Medawah-Kanton, Wahpacoota, Wahpeton and Sissetong bands or tribes of Sioux; the Omahas, Ioways, Ottoes and Missourias, was made and concluded at Prairie-du-Chien, in the Territory of Michigan, on the fifteenth day of July, in the year of our Lord one thousand eight hundred and thirty, and of the Independence of the United States the fifty-fifth, by William Clark, Superintendent of Indian Affairs, and Willoughby Morgan, Colonel of the United States' first regiment Infantry, Commissioners on the part of the United States, and certain deputations on the part of the tribes aforesaid; which treaty is in the words following, to wit:

No. 1. Articles of a treaty made and concluded by William Clark, Superintendent of Indian Affairs, and Willoughby Morgan, Colonel of the United States' first regiment Infantry, Commissioners on behalf of the United States, on the one part, and the undersigned deputations of the Confederate Tribes of the Sacs and Foxes; the Medawah-Kanton, Wahpacoota, Wahpeton and Sissetong bands or tribes of Sioux; the Omahas, Ioways, Ottoes and Missourias, on the other part.

The said tribes being anxious to remove all causes which may hereafter create any unfriendly feeling between them, and being also anxious to provide other sources for supplying their wants besides those of hunting, which they are sensible must soon entirely fail them, agree with the United States on the following articles:

Art. 1. The said tribes cede and relinquish to the United States forever, all their right and title to the lands lying within the following boundaries, to wit: Beginning at the upper fork of the Des Moines river, and passing the sources of the Little Sioux and Floyd's rivers, to the fork of the first creek which falls into the Big Sioux or Calumet on the east side; thence, down said creek and Calumet river to the Missouri river; thence, down said Missouri river to the Missouri State line above the Kansas; thence, along said line to the northwest corner of the said State; thence, to the high lands between the waters falling into the Missouri and Des Moines, passing to said high lands along the dividing ridge between the forks of the Grand river; thence, along said high lands or ridge separating the waters of the Missouri from those

Said tribes cede certain lands to U. S.

of the Demoine, to a point opposite the source of Boyer river, and thence in a direct line to the upper fork of the Demoine, the place of beginning. But it is understood that the lands ceded and relinquished by this treaty, are to be assigned and allotted under the direction of the President of the United States, to the tribes now living thereon, or to such other tribes as the President may locate thereon for hunting and other purposes.

Sacs & Foxes *Art. 2.* The Confederate Tribes of the Sacs and Foxes, cede and relinquish to the United States forever, a tract of country twenty miles in width, from the Mississippi to the Demoine; situate south, and adjoining the line between the said Confederate Tribes of Sacs and Foxes, and the Sioux; as established by the second article of the treaty of Prairie du Chien, of the nineteenth of August, one thousand eight hundred and twenty-five.

Bands of the Sioux *Art. 3.* The Medawah-Kanton, Wahpacoota, Wahpeton and Sissetong bands of the Sioux cede and relinquish to the United States forever, a tract of country twenty miles in width, from the Mississippi to the Demoine river, situate north, and adjoining the line mentioned in the preceding article.

Consideration. *Art. 4.* In consideration of the cessions and relinquishments made in the first, second, and third articles of this treaty, the United States agree to pay to the Sacs three thousand dollars; and to the Foxes three thousand dollars; to the Sioux of the Mississippi, two thousand dollars; to the Yanceton and Santie Bands of Sioux, three thousand dollars; to the Omahas, two thousand five hundred dollars; to the Ioways, two thousand five hundred dollars; to the Ottoes and Missouriias, two thousand five hundred dollars, and to the Sacs of the Missouri river, five hundred dollars; to be paid annually for ten successive years, at such place or places on the Mississippi or Missouri, as may be most convenient to said tribes, either in money, merchandize, or domestic animals, at their option; and when said annuities, or any portion of them shall be paid in merchandize, the same is to be delivered to them at the first cost of the goods at St. Louis, free of transportation. And the United States further agree to make to the said tribes and bands, the following allowances for the period of ten years, and as long thereafter as the President of the United States may think necessary and proper, in addition to the sums hereinbefore stipulated to be paid them; that is to say: to the bands of the Sioux mentioned in the third article, one blacksmith at the expense of the United States, and the necessary tools; also instruments for agricultural purposes, and iron and steel to the amount of seven hundred dollars; to the Yanceton and Santie bands of Sioux, one blacksmith at the expense of the United States, and the necessary tools, also instruments for agricultural purposes, to the amount of four hundred dollars; to the Omahas, one blacksmith at the expense of the United States, and the necessary tools, also instruments for agricultural purposes, to the amount of five hundred dollars; to the Ioways, an assistant blacksmith at the expense of the United States, also instruments for agricultural purposes, to the amount of six hundred dollars; to the Ottoes and Missouriias, one blacksmith at the expense of the

Further annuities.

United States, and the necessary tools, also instruments for agricultural purposes, to the amount of five hundred dollars; and to the Sacs of the Missouri river, one blacksmith at the expense of the United States, and the necessary tools; also instruments for agricultural purposes, to the amount of two hundred dollars.

Art. 5. And the United States further agree to set apart three thousand dollars annually for ten successive years, to be applied in the discretion of the President of the United States, to the education of the children of the said tribes and bands, parties hereto. Further annuities for education.

Art. 6. The Yanckton and Santie bands of the Sioux not being fully represented, it is agreed, that if they shall sign this treaty, they shall be considered as parties thereto, and bound by all its stipulations. Yanckton and Santie bands, &c.

Art. 7. It is agreed between the parties hereto, that the lines shall be run and marked as soon as the President of the United States may deem it expedient. Lines to be run and marked.

Art. 8. The United States agree to distribute between the several tribes, parties hereto, five thousand one hundred and thirty-two dollars worth of merchandize, the receipt whereof the said tribes hereby acknowledge, which, together with the amounts agreed to be paid, and the allowances in the fourth and fifth articles of this treaty, shall be considered as a full compensation for the cession and relinquishments herein made. U. S. to distribute \$ 5,132 in merchandise.

Art. 9. The Sioux bands in council having earnestly solicited that they might have permission to bestow upon the half breeds of their nation, the tract of land within the following limits, to wit: Beginning at a place called the Barn, below and near the village of the Red Wing Chief, and running back fifteen miles; thence, in a parallel line with lake Pepin and the Mississippi, about thirty-two miles to a point opposite Beef or O-Boeuf river; thence, fifteen miles to the Grand Encampment opposite the river aforesaid. The United States agree to suffer said half breeds to occupy said tract of country, they holding by the same title, and in the same manner that other Indian titles are held. Sioux bands and their half breeds.

Art. 10. The Omahas, Ioways and Ottoes, for themselves, and in behalf of the Yanckton and Santie bands of Sioux, having earnestly requested that they might be permitted to make some provision for their half breeds, and particularly that they might bestow upon them the tract of country within the following limits, to wit: Beginning at the mouth of Little Ne-mohaw river, and running up the main channel of said river to a point which will be ten miles from its mouth in a direct line, from thence in a direct line, to strike the Grand Ne-mohaw ten miles above its mouth, in a direct line (the distance between the two Ne-mohaws being about twenty miles) thence down said river to its mouth; thence up, and with the meanders of the Missouri river to the point of beginning, it is agreed that the half breeds of said tribes and bands may be suffered to occupy said tract of land, holding it in the same manner, and by the same title that other Indian titles are held; but the President of the United States may hereafter assign to any of the said half breeds, to be held by him or them Omahas, Ioways and Ottoes, and their half breeds.

in fee simple, any portion of said tract not exceeding a section of six hundred and forty acres to each individual. And this provision shall extend to the cession made by the Sioux in the preceding article.

Art. 11. The reservation of land mentioned in the preceding article, having belonged to the Ottoes, and having been exclusively ceded by them, it is agreed that the Omahas, the Ioways, and the Yancton and Santie bands of Sioux shall pay out of their annuities to the said Ottoe tribe, for the period of ten years, three hundred dollars annually, of which sum the Omahas shall pay one hundred dollars, the Ioways, one hundred dollars, and the Yancton and Santie bands, one hundred dollars.

Art. 12. It is agreed that nothing contained in the foregoing articles shall be so construed as to affect any claim, or right in common, which has heretofore been held by any tribes, parties to this treaty, to any lands not embraced in the cession herein made; but that the same shall be occupied and held by them as heretofore.

Art. 13. This treaty, or any part thereof, shall take effect and be obligatory upon the contracting parties, so soon as the same shall be ratified by the President of the United States, by and with the advice and consent of the Senate thereof.

Done and signed and sealed at Prairie du Chien, in the Territory of Michigan, this fifteenth day of July, in the year of our Lord one thousand eight hundred and thirty, and of the Independence of the United States, the fifty-fifth.

WM. CLARK. *Su. Ind. Affairs,* and } Commissioners.
WILLOUGHBY MORGAN *Col. 1st Inf. U. S. A.* }

SACS.

Mash-que-tai-paw, or Red-Head,	x	Am-oway,	x
Sheco-Calawko, or Turtle-Snail,	x	Ninwow-qua-saut, he that fears man-	x
Kee-o-cuck, the Watchful Fox,	x	kind,	x
Poi-o-tahit, one that has no heart,	x	Chaukee-Manitou, the Little Spirit,	x
Os-hays-kee, Ridge,	x	Moso-inn, the Scalp,	x
Shee-shee-quanince, Little Gourd,	x	Wapaw-chicannuck, Fish of the	x
O-saw-wish-canoe, Yellow Bird,	x	White Marsh,	x
I-onin,	x	Mesico, Jie,	x

FOXES.

Wapalaw, the Prince,	x	Manquo-pwam, the Bear's hip,	x
Tawcemin, Strawberry,	x	(Morgan,)	x
Pasha-sakay, son of Piemanschie,	x	Kaw-Kaw-Kee, the Crow,	x
Kee-wausette, he who climbs every	x	Mawcawtay-ee-quoiquenake, Black	x
where,	x	Neck,	x
Naw-mec,	x	Watu-pawnonsh,	x
Appenioce, or the Grand Child,	x	Meshaw-nuaw-peetay, the Large	x
Waytee-mins,	x	teeth,	x
Nawayaw-cosi,	x	Cawkee-Kamack, always Fish,	x
		Mussaw-wawquott,	x

SIoux

Of the Mississipp, Medawakanton Band.

Wabishaw, or Red Leaf,	x	Taco-coqui-pishnee, he that fears	x
Tchataqua Manie, or Little Crow,	x	nothing,	x
Waumunde-tunkar, the Great Ca-	x	Wah-coo-ta, that shoots arrows,	x
lumnet Eagle,	x	Pay-taw-whar, the fire owner,	x

Annuity of
\$300 to the
Ottoes for ten
years.

This treaty
not to affect
claims of other
tribes.

Treaty to be
ratified.

Kaugh Mohr, the Floating Log,	x	Wazee-o-monic, the Walking Pine,	x
Etarz-e-pah, the Bow,	x	Tachaw-cooash-tay, the Good Road,	x
Teeah-coota, one that fires at the yellow,	x	Kie-ank-kaw, the Mountain,	x
Toh-kiah-taw-kaw, he who bites the enemy,	x	Mah-peau-mansaw, Iron Cloud,	x
Nasiumpah, or the Early Riser,	x	E-taych-o caw, Half Face,	x
Am-pa-ta-tah Wah, His Day,	x	Anoug-genaje, one that stands on both sides,	x
Wah kee-ah-tunkar, Big Thunder,	x	Hough-awppaw, the Eagle Head,	x
Tauchaw-cadoota, the Red Road,	x	Hooka-mooza, the Iron Limb,	x
Tchaws-kesky, the Elder,	x	Hoatch-ah-cadoota, the Red Voice,	x
Mauzau-hautau, the Grey Iron,	x	Wat-chu-da, the Dancer,	x

WAH-PAH-COOTA BAND.

Wiarh-hoh-ha, French Crow,	x	Mazo-manie, or the Iron that Walks,	x
Shans-konar, Mooving Shadow,	x	Mah-kah-ke-a-munch, one that flies on the land,	x
Ah-pe-hater, the Grey Mane,	x	Mauzau-haut-a-mundee, the Walking Bell,	x
Wahmedecaw-calín-bohr, one that prays for the land,	x	Kah-hih, the Menominie,	x
Wah-con-de-kah-kar, the one that makes the lightning,	x		

SUSSITON BAND.

Ete-tahken-bah, the Sleepy Eyes,	x	Ho-toh-monie, groans when he walks,	x
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OMAHAHS.

Opau-tauga, or the Big Elk,	x	Au-guim-an, the Chief,	x
Chonques-kaw, the White Horse,	x	Age-en-gaw, the Wing,	x
Tessan, the White Cow,	x	Non-bau-manie, the one that walks double,	x
Ishtan-mauzay, Iron-Eye, Chiefs Son,	x	Way-cosh-ton, the frequent feast giver,	x
Waw-shin-ga-sau-bais, Black Bird,	x	Eh-que-naus-hus-kay, the Second,	x
Waugh-pay-shan, the one who scalps but a small part from the crown of the head,	x	Iosey, (the son of Kawsay,)	x

IOWAYS.

Wassau-nie, or the Medicine Club,	x	Pah-a-manie, one who walks on the snow,	x
Mauhoos Kan, White Cloud,	x	Pie-kan-ha-igne, the Little Star,	x
Wo-hoompee, the broth	x	Niayoo Manie, Walking Rain,	x
Tah-roh-ha, a good many deer,	x	Nautah-hoo, Burnt-wood,	x
Wa-nau-quash-coonie, without fear,	x	Pai-tansa, the White Crane,	x

OTTOES.

I-atan, or Shaumanie-Cassan, or Prairie Wolf	x	Oh-haw-kee-wano, that runs on the hills,	x
Mehah-hun-jee, Second Daughter,	x	Rai-grai-a, Speckled Turtle,	x
Wawronesan, the Encircler,	x	Tchai-wah-tchee-ray, going by,	x
Kansau-tauga, the Big Kansas,	x	Krai-taunica, the Hawk,	x
Noe-kee-sa-kay, strikes two,	x	Mauto-a-Kee-pah, that meets the bear,	x
Tchai-au-grai, the Shield,	x	Kai-wan-igne, Little Turtle,	x
Manto-igne, the Little Bow,	x		
Thee-rai-tchai-neehegrai, Wolf-tail at the heel,	x		

MISSOURIAS.

Eh-shaw-manie, or the one who walks laughing,	x	Wamshe-Katou-nat, the Great Man,	x
Ohaw-tchee-Kc-Sakay, one who strikes the Little Osages,	x	Shoug-resch-Kay, the Horse Fly,	x
	x	Tahmegrai-Soo-igne, Little Deer's Dung,	x

MISSOURI SACS.

Sau-kis-quoi-pee,	x	Nawai-yak-oosee,	x
She-she-quene, the Gourd,	x	Wee-tay-main, one that goes with the rest,	x
Nochewai-tasay,	x		
Mash-quaw-Siais,	x		

The assent of the Yanckton and Santie Bands of Sioux to the foregoing treaty, is given.
In testimony whereof, the Chiefs, Braves, and principal men of said Bands have hereunto signed their names, and acknowledge the same at St. Louis, this 13th October, 1830.

YANCTON AND SANTIE BANDS OF SIOUX.

Matto-Sa-Becha, the Black Bear,	x	Tokun Ohomenece, Revolving Stone,	x
Wa con-okra,	x	Eta-ga-nush-kica, Mad Face,	x
Pitta-eutapishna, he who dont eat Buffalo,	x	Womendee Dooter, Red War Eagle,	x
To-ki-e-ton, the Stone with Horns,	x	Mucpea A-har ka, Cloud Elk,	x
Cha-pon-ka, or Musquito,	x	To-ka-oh, Wounds the Enemy,	x
To-ki-mar-ne, he that walks ahead,	x	Pd-ta sun eta womper, White Buffalo with two faces,	x
Wock-ta-ken dee, kills and comes back,	x	Cha-tun-kia, Sparrow Hawk,	x
Hia-Sazza,	x	Ke-un-chun-ko, Swift Flyer,	x
Chigga Wah-shu-she, Little Brave,	x	Ti-ha uhar, he that carries his horn,	x
Wah-gho-num-pa, Cotton wood on the Neck,	x	Sin-ta-nomper, Two Tails,	x
Zuyesaw, Warrior,	x	Wo-con Cashtaka, the whipt Spirit,	x
		Ta Shena-pater, Fiery Blanket,	x

In presence of

John Ruland, *Secretary to the Commissioners*,
Jon. L. Bean, *S. Agt.*
Law. Taliaferro, *Ind. Agent at St. Peters*,
R. B. Mason, *Capt. 1st Inf.*
G. Loomis, *Capt. 1st Inf.*
James Peterson, *Lt. & Adj. H. B. M. 33d Regt.*
N. S. Harris, *Lt. & Adj. Regt. U. S. Inf.*
Henry Bainbridge, *Lt. U. S. Army*,
John Gale, *Surg. U. S. A.*
J. Archer, *Lt. U. S. A.*
J. Daugherty, *Ind. Agt.*
Thos. A. Davies, *Lt. Inf.*
Wm. S. Williamson, *Sub Ind. Agt.*
And. S. Hughes, *Sub Ind. Agt.*
A. G. Baldwin, *Lt. 3d Inf.*
David D. Mitchell,
H. L. Donisman,
Pynkoop Warner,
Geo. Davenport,
Wm. Hemstead,
Benjamin Mills,
Wm. H. Warfield, *Lt. 3d Inf.*
Sam. R. Throokmoor,
John Connelly,
Amos Farror,
Antoine Le Claire, *Interpreter of Sacs and Foxes*,
Stephen Julian, *U. S. Interpreter*,
Jacques Mette, *Interpreter*,
Michel Berda, his x mark, *Mohow Interpreter*,
S. Campell, *U. S. Interpreter*,

Witnesses to the signatures of the Yancton and Santie Bands of Sioux at Fort Tecumseh, Upper Missouri, on the fourth day of September, 1830—

Wm. Gordon,
James Arch'd Hamilton,
David D. Mitchell,
Wm. Saidlau,
Jacob Halsey,

Witnesses present at the signing and acknowledgment of the Yancton and Santie Deputations—

Jno. Ruland, *Secretary to Commissioners*,
Jon. L. Bean, *Sub Ind. Agt. for Upper Missouri*,

Felix F. Wain, *Ind. Agt. for Sacs and Foxes*,
 John F. A. Sanford, *U. S. S. Ind. Agt.*
 William C. Heyward, *U. S. Army*,
 D. J. Royster, *U. S. Inf.*
 Samuel Kinney, *U. S. A.*
 Merewether Lewis Clark, *6th Reg. Inf.*
 Jacques Mette,

Now, therefore, be it known, that I, ANDREW JACKSON, President of the United States of America, having seen and considered said treaty, do, in pursuance of the advice and consent of the Senate, as expressed by their resolution of the fifteenth of February, one thousand eight hundred and thirty-one, accept, ratify, and confirm the same, and every clause and article thereof.

In testimony whereof, I have caused the seal of the United [L. s.] States to be hereunto affixed, having signed the same with my hand.

Done at the city of Washington, this twenty-fourth day of February, in the year of our Lord one thousand eight hundred and thirty-one, and of the Independence of the United States the fifty-fifth.

ANDREW JACKSON.

BY THE PRESIDENT:

M. VAN BUREN, *Sec. of State.*

Treaty between the United States and the Choctaw Tribe of Indians.

ANDREW JACKSON, PRESIDENT OF THE UNITED STATES OF AMERICA.

To all and singular to whom these presents shall come, greeting:

Whereas, a treaty between the United States of America and the Mingoes, Chiefs, Captains and Warriors of the Choctaw nation, was entered into at Dancing Rabbit Creek, on the twenty-seventh day of September, in the year of our Lord one thousand eight hundred and thirty, and of the Independence of the United States the fifty-fifth, by John H. Eaton and John Coffee, Commissioners on the part of the United States, and the Chiefs, Captains, and Head Men of the Choctaw nation, on the part of said nation; which treaty, together with the supplemental article thereto, is in the words following, to wit:

A Treaty of perpetual friendship, cession and limits entered into by John H. Eaton and John Coffee, for and in behalf of the Government of the United States, and the Mingoes, Chiefs, Captains and Warriors of the Choctaw nation, begun and held at Dancing Rabbit Creek, on the fifteenth of September, in the year eighteen hundred and thirty.

Whereas, the General Assembly of the State of Mississippi has extended the laws of said State to persons and property within the chartered limits of the same, and the President of the United States has said that he cannot protect the Choctaw people from the operation of these laws: Now therefore, that the Choctaw people may live under their own laws in peace with the United States and the State of Mississippi, they have determined to sell their lands east of the Mississippi, and have accordingly agreed to the following articles of treaty:

Art. 1. Perpetual peace and friendship is pledged and agreed upon by and between the United States and the Mingoes, Chiefs, peace.

and Warriors of the Choctaw nation of Red People; and that this may be considered the treaty existing between the parties, all other treaties heretofore existing, and inconsistent with the provisions of this, are hereby declared null and void.

Tract of country to Choctaws west of Mississippi.

Art. 2. The United States, under a grant specially to be made by the President of the United States, shall cause to be conveyed to the Choctaw nation a tract of country west of the Mississippi river, in fee simple to them and their descendants, to inure to them while they shall exist as a nation and live on it, beginning near Fort Smith where the Arkansas boundary crosses the Arkansas river, running thence to the source of the Canadian fork; if in the limits of the United States, or to those limits; thence, due south to Red river, and down Red river to the west boundary of the Territory of Arkansas; thence, north along that line to the beginning. The boundary of the same to be agreeably to the treaty made and concluded at Washington City in the year 1825. The grant to be executed so soon as the present treaty shall be ratified.

Choctaws cede their land east of, and agree to move west of, the Mississippi.

Art. 3. In consideration of the provisions contained in the several articles of this treaty, the Choctaw nation of Indians consent and hereby cede to the United States the entire country they own and possess, east of the Mississippi river; and they agree to remove beyond the Mississippi river early as practicable, and will so arrange their removal, that as many as possible of their people, not exceeding one half of the whole number, shall depart during the falls of 1831 and 1832; the residue to follow during the succeeding fall of 1833; a better opportunity in this manner will be afforded the Government to extend to them the facilities and comforts which it is desirable should be extended in conveying them to their new homes.

U.S. to secure the Choctaws in their Territory west of the Mississippi.

Art. 4. The Government and people of the United States are hereby obliged to secure to the said Choctaw nation of Red people the jurisdiction and government of all the persons and property that may be within their limits west, so that no Territory or State shall ever have a right to pass laws for the government of the Choctaw Nation of Red people and their descendants; and that no part of the land granted them shall ever be embraced in any Territory or State; but the United States shall forever secure said Choctaw nation from and against all laws, except such as from time to time may be enacted in their own National Councils, not inconsistent with the Constitution, Treaties, and Laws of the United States; and except such as may, and which have been enacted by Congress, to the extent that Congress, under the Constitution, are required to exercise a legislation over Indian affairs. But the Choctaws, should this treaty be ratified, express a wish that Congress may grant to the Choctaws the right of punishing by their own laws, any white man who shall come into their nation and infringe any of their national regulations.

To have the right to punish white men in their own territory.

U. S. to protect them against foreign and domestic enemies.

Art. 5. The United States are obliged to protect the Choctaws from domestic strife, and from foreign enemies, on the same principles that the citizens of the United States are protected, so that whatever would be a legal demand upon the United States for de-

fence, or for wrongs committed by an enemy on a citizen of the United States, shall be equally binding in favour of the Choctaws; and in all cases where the Choctaws shall be called upon by a legally authorized officer of the United States to fight an enemy, such Choctaw shall receive the pay and other emoluments which citizens of the United States receive in such cases, provided no war shall be undertaken or prosecuted by said Choctaw nation, but by declaration made in full Council, and to be approved by the United States, unless it be in self defence against an open rebellion, or against an enemy marching into their country; in which cases they shall defend, until the United States are advised thereof.

Art. 6. Should a Choctaw, or any party of Choctaws, commit acts of violence upon the person or property of a citizen of the United States, or join any war party against any neighboring tribe of Indians, without the authority in the preceding article; and except to oppose an actual or threatened invasion or rebellion, such person so offending, shall be delivered up to an officer of the United States, if in the power of the Choctaw nation, that such offender may be punished as may be provided in such cases by the laws of the United States; but if such offender is not within the control of the Choctaw nation, then said Choctaw nation shall not be held responsible for the injury done by said offender.

Choctaws committing violence against citizens or property of U. S. to be given up.

Art. 7. All acts of violence committed upon persons and property of the people of the Choctaw nation, either by citizens of the United States, or neighboring tribes of Red people, shall be referred to some authorized agent, by him to be referred to the President of the United States, who shall examine into such cases, and see that every possible degree of justice is done to said Indian party of the Choctaw nation.

Acts of violence to be referred to President, with a view to have justice done.

Art. 8. Offenders against the laws of the United States, or any individual State, shall be apprehended and delivered to any duly authorized person where such offender may be found in the Choctaw country, having fled from any part of the United States; but in all such cases, application must be made to the agent or chiefs, and the expense of his apprehension and delivery provided for and paid by the United States.

Offenders against the U. S. to be given up.

Art. 9. Any citizen of the United States who may be ordered from the nation by the agent and constituted authorities of the nation, and refusing to obey or return into the nation without the consent of the aforesaid persons, shall be subject to such pains and penalties as may be provided by the laws of the United States in such cases. Citizens of the United States travelling peaceably under the authority of the laws of the United States, shall be under the care and protection of the nation.

Citizens of the U. S. may be ordered out of the nation, &c.

Art. 10. No person shall expose goods or other articles for sale as a trader, without a written permit from the constituted authorities of the nation, or authority of the laws of the Congress of the United States, under penalty of forfeiting the articles; and the constituted authorities of the nation shall grant no license, except to such persons as reside in the nation, and are answerable to the laws of the nation. The United States shall be particularly

No person permitted to trade without leave.

obliged to assist to prevent ardent spirits from being introduced into the nation.

U. S. to establish a post office in the nation. *Art. 11.* Navigable streams shall be free to the Choctaws, who shall pay no higher toll or duty than citizens of the United States. It is agreed further that the United States shall establish one or more post offices in said nation, and may establish such military post roads and posts as they may consider necessary.

Intruders to be removed. *Art. 12.* All intruders shall be removed from the Choctaw nation, and kept without it. Private property to be always respected, and on no occasion taken for public purposes, without just compensation being made therefor to the rightful owner. If an Indian unlawfully take or steal any property from a white man, a citizen of the United States, the offender shall be punished. And if a white man unlawfully take or steal any thing from an Indian, the property shall be restored, and the offender punished. It is further agreed that when a Choctaw shall be given up to be tried for any offence against the laws of the United States, if unable to employ counsel to defend him, the United States will do it, that his trial may be fair and impartial.

Agent to be appointed, &c. *Art. 13.* It is consented that a qualified agent shall be appointed for the Choctaws every four years, unless sooner removed by the President; and he shall be removed on petition of the constituted authorities of the nation, the President being satisfied there is sufficient cause shown. The agent shall fix his residence convenient to the great body of the people; and in the selection of an agent immediately after the ratification of this treaty, the wishes of the Choctaw nation on the subject shall be entitled to great respect.

Choctaws may remain and become citizens of a State, &c. *Art. 14.* Each Choctaw head of a family being desirous to remain and become a citizen of the States, shall be permitted to do so by signifying his intention to the agent, within six months from the ratification of this treaty, and he or she shall thereupon be entitled to a reservation of one section of six hundred and forty acres of land, to be bounded by sectional lines of survey; in like manner shall be entitled to one half that quantity for each unmarried child which is living with him, over ten years of age; and a quarter section to such child as may be under ten years of age, to adjoin the location of the parent. If they reside upon said lands, intending to become citizens of the United States, for five years after the ratification of this treaty, in that case, a grant in fee simple shall issue; said reservation shall include the present improvement, of the head of the family, or a portion of it. Persons who claim under this article, shall not lose the privilege of a Choctaw citizen; but if they ever remove, are not to be entitled to any portion of the Choctaw annuity.

Reservation of 4 sections of land to certain chiefs. *Art. 15.* To each of the Chiefs in the Choctaw nation, to wit: Greenwood Laffore, Nutackachie, and Mushulatubbe, there is granted a reservation of four sections of land, two of which shall include and adjoin their present improvement, and the other two located where they please, but on unoccupied unimproved lands; such section shall be bounded by sectional lines, and with the consent of the President they may sell the same. Also to the three

principal Chiefs, and to their successors in office, there shall be paid two hundred and fifty dollars annually, while they shall continue in their respective offices, except to Mushulatubbe, who, as he has an annuity of one hundred and fifty dollars for life, under a former treaty, shall receive only the additional sum of one hundred dollars, while he shall continue in office as Chief; and if, in addition to this, the nation shall think proper to elect an additional principal Chief of the whole, to superintend and govern upon Republican principles, he shall receive annually for his services five hundred dollars, which allowance to the Chiefs and their successors in office, shall continue for twenty years. At any time when in military service, and while in service by authority of the United States the district Chiefs under and by selection of the President shall be entitled to the pay of Majors; the other Chief under the same circumstances shall have the pay of a Lieutenant Colonel. The Speakers of the three districts, shall receive twenty-five dollars a year for four years each; and the three secretaries one to each of the Chiefs, fifty dollars each for four years. Each Captain of the Nation, the number not to exceed ninety-nine, thirty-three from each district shall be furnished upon removing to the West, with each a good suit of clothes and a broad sword as an outfit, and for four years commencing with the first of their removal, shall each receive fifty dollars a year, for the trouble of keeping their people at order in settling; and whenever they shall be in military service by authority of the United States shall receive the pay of a captain.

Pay of Chiefs when in U. S. military service.

Art. 16. In wagons, and with steamboats as be found neccesary—the United States agree to remove Indians to their new homes at their expense and the care of discreet and careful persons, who will be kind and brotherly to them. They agree to furnish them with ample corn and beef, or pork for themselves and families for twelve months after reaching their new homes.

U. S. agree to remove Indians, &c.

It is agreed further that the United States will take all their cattle, at the valuation of some discreet person to be appointed by the President, and the same shall be paid for in money after their arrival at their new homes; or other cattle such as may be desired shall be furnished them, notice being given through their Agent of their wishes upon this subject before their removal, that time to supply the demand may be afforded.

U. S. agree to take their cattle at valuation.

Art. 17. The several annuities and sums secured under former treaties to the Choctaw nation and people shall continue as though this treaty had never been made.

Former annuities to continue.

And it is further agreed that the United States in addition will pay the sum of twenty thousand dollars for twenty years, commencing after their removal to the west, of which, in the first year after their removal, ten thousand dollars shall be divided and arranged to such as may not receive reservations under this treaty.

\$ 20,000 additional.

Art. 18. The United States shall cause the lands hereby ceded to be surveyed; and surveyors may enter the Choctaw Country for that purpose, conducting themselves properly and disturbing or interrupting none of the Choctaws people. But no person is to be permitted to settle within the nation, or the lands to be sold

Lands ceded by this treaty, to be surveyed, &c.

before the Choctaws shall remove. And for the payment of the several amounts secured in this treaty, the lands hereby ceded are to remain a fund pledged to that purpose, until the debt shall be provided for and arranged. And further it is agreed, that in the construction of this treaty wherever well founded doubt shall arise, it shall be construed most favourably towards the Choctaws.

Art. 19. The following reservations of land are hereby admitted. To Colonel David Fulsom four sections of which two shall include his present improvement, and two may be located elsewhere, on unoccupied, unimproved land.

Reservations,
Col. D. Ful-
som.

I. Garland &
others.

To I. Garland, Colonel Robert Cole, Tuppanahomer, John Pytchlynn, Charles Juzan, Johokebetubbe, Eaychahobia, Ofehoma, two sections, each to include their improvements, and to be bounded by sectional lines, and the same may be disposed of and sold with the consent of the President. And that others not provided for, may be provided for, there shall be reserved as follows:

To each head
of a family.

First. One section to each head of a family not exceeding forty in number, who during the present year, may have had an actual cultivation, with a dwelling house thereon, fifty acres or more. Secondly, three quarter sections after the manner aforesaid to each head of a family not exceeding four hundred and sixty, as shall have cultivated thirty acres and less than fifty, to be bounded by quarter section lines of survey, and to be contiguous and adjoining.

Further re-
servations.

Third: One half section as aforesaid to those who shall have cultivated from twenty to thirty acres the number not to exceed four hundred. Fourth; a quarter section as aforesaid to such as shall have cultivated from twelve to twenty acres, the number not to exceed three hundred and fifty, and one half that quantity to such as shall have cultivated from two to twelve acres, the number also not to exceed three hundred and fifty persons. Each of said class of cases shall be subject to the limitations contained in the first class, and shall be so located as to include that part of the improvement which contains the dwelling house. If a greater number shall be found to be entitled to reservations under the several classes of this article, than is stipulated for under the limitation prescribed, then and in that case the Chiefs separately or together shall determine the persons who shall be excluded in the respective districts.

Further re-
servations.

Fifth. Any Captain, the number not exceeding ninety persons, who under the provisions of this article shall receive less than a section, he shall be entitled to an additional quantity of half a section adjoining to his other reservation. The several reservations secured under this article, may be sold with the consent of the President of the United States but should any prefer it, or omit to take a reservation for the quantity he may be entitled to, the United States will on his removing pay fifty cents an acre, after reaching their new homes, provided that before the first of January next they shall adduce to the Agent, or some other authorized person to be appointed, proof of his claim and the quantity of it. Sixth; likewise children of the Choctaw Nation residing in the Nation, who have neither father nor mother, a list of which, with satisfactory proof of parentage and orphanage being filed with Agent in six

months to be forwarded to the War Department, shall be entitled to a quarter section of Land, to be located under the direction of the President, and with his consent the same may be sold and the proceeds applied to some beneficial purpose for the benefit of said orphans.

Art. 20 The United States agree and stipulate as follows, that U. S. agree to for the benefit and advantage of the Choctaw people, and to improve their condition, there shall be educated under the direction of the President and at the expense of the United States, forty Choctaw youths for twenty years. This number shall be kept at school, and as they finish their education, others to supply their places, shall be received for the period stated. The United States agree also to erect a council house for the nation at some convenient central point, after their people shall be settled; and a house for each chief, also a church for each of the three districts, to be used also as school houses, until the nation may conclude to build others; and for these purposes ten thousand dollars shall be appropriated; also fifty thousand dollars (viz.) twenty-five hundred dollars annually shall be given for the support of three teachers of schools for twenty years. Likewise there shall be furnished to the nation, three blacksmiths one for each district, for sixteen years, and a qualified mill wright for five years; also there shall be furnished the following articles: twenty-one hundred blankets; to each warrior who emigrates a rifle, moulds, wipers an ammunition. One thousand axes, ploughs, hoes, wheels and cards each; and four hundred looms. There shall also be furnished one ton of iron and two hundred weight of steel annually to each district for sixteen years.

educate forty
Choctaw
youths for 20
years.

U. S. to erect
a Council
house for the
nation, &c.

3 blacksmiths,
&c. to be fur-
nished, &c.

Art. 21. A few Choctaw Warriors yet survive who marched and fought in the army with General Wayne, the whole number stated not to exceed twenty.

20 Choctaw
warriors to re-
ceive annuity.

These it is agreed shall hereafter while they live receive twenty-five dollars a year; a list of them to be early as practicable, and within six months made out, and presented to the agent to be forwarded to the War Department.

Art. 22. The Chiefs of the Choctaws have suggested that their people are in a state of rapid advancement in education and refinement, and have expressed a solicitude that they might have the privilege of a Delegate on the floor of the House of Representatives extended to them. The Commissioners do not feel, that they can under a treaty stipulation accede to the request, but at their desire, present it in the Treaty, that Congress may consider of and decide the application.

Choctaws
want a Dele-
gate in Con-
gress.

Done and signed and executed by the Commissioners of the United States and the Chiefs, Captains and Head Men of the Choctaw nation at Dancing Rabbit Creek, this 27th day of September, eighteen hundred and thirty.

JOHN H. EATON,
JOHN COFFEE,

[SEAL]
[SEAL]

Greenwood Leflore,
Mushulatubbee,
Nittucachee,

x | Eyarhocuttubbee,
x | Iyacherhopia,
x | Offahoomah,

x
x
x

Archalater,
 Onnahubbee,
 Holarterhoomah,
 Hopiaunchahubbee,
 Zishomingo,
 Captainthalke,
 James Shield,
 Pistiyubbee,
 Yobalarunehahubbee,
 Holubbee,
 Robert Cole,
 Mokelareharhopin,
 Lewis Perry,
 Artonamarstubby,
 Hopeatubby,
 Hoshahoomah,
 Chuallahoomah,
 Joseph Kincaide,
 Artooklubbetushpa,
 Metubby,
 Arsarkatubby,
 Issaaterhoomah,
 Chohtahmetahah,
 Tunnppashubby,
 Okecharyer,
 Aoshhopia,
 Warsharshapia,
 Maarshunchahubbee,
 Misharyubby,
 Daniel Mccurtain,
 Tushkerharcho,
 Hoktoontubby,
 Nuknacrahookmarhee,
 Ming hoomah,
 Pisinhooutubby,
 Tullarhacher,
 Little leader,
 Maanhutter,
 Cowehoomah,
 Tillamoer,
 Imnullacha,
 Artopilachubby,
 Shupherunchahubbee,
 Nitterhoomah,
 Oaklaryubby,
 Pukumna,
 Arpalar,
 Holber,
 Hoparmingo,
 Ispahoomah,
 Tieberhoomah,
 Tishoholarter,
 Mahayarchubbee,
 Arlarter,
 Nittahubbee,
 Tishonouan,
 Warsharchahoomah,
 Isaac James,
 Hopiaintushker,
 Aryoshkermer,
 Shemoter,
 Hopiasketina,

x	Thomas Leflore,	x
x	Arnokechatubby,	x
x	Shokoperlukna,	x
x	Posherhoomah,	x
x	Robert Folsom,	x
x	Arharyotubby,	x
x	Kushonolarter,	x
x	James Vaughan,	x
x	James Karnes,	x
x	Tishohakubby,	x
x	Narlanalar,	x
x	Pennasha,	x
x	Inharyarker,	x
x	Motubby,	x
x	Narharyubby,	x
x	Ishmaryubby,	x
x	James McKing,	
x	Lewis Wilson,	x
x	Istonarkerharcho,	x
x	Hoshinshamartarher,	x
x	Kimnulachubby,	x
x	Eyarhinstubby,	x
x	Samuel Garland,	
x	Thomas Wall,	
x	Samuel S. Worcester,	
x	Jacob Folsom,	
x	William Foster,	
x	Ontioerharcho,	x
x	Huh A. Foster,	
x	Pierre Juzar,	
x	John Pitchlynn, jr.	
x	David Folsom,	
x	Sholohommastube,	x
x	Tesho,	x
x	Lauwechubby,	x
x	Hoshehammo,	x
x	Ofenowo,	x
x	Ahekoche,	x
x	Kaloshoube,	x
x	Atoko,	x
x	Ishtemeleche,	x
x	Emthitohabe,	x
x	Silas D. Fisher,	x
x	Isaac Folsom,	x
x	Hekatube,	x
x	Hakseche,	x
x	Jerry Carney,	x
x	John Washington,	x
x	Pluplip,	x
x	Meslameye,	x
x	Ishteheka,	x
x	Heshohomme,	x
x	John McKelbery,	x
x	Benjamin James,	x
x	Tikabachahambe,	x
x	Aholiktube,	x
x	Walking Wolf,	x
x	John Waide,	x
x	Big Axce,	x
x	Bob,	x
x	Tushkochaubbee,	x
x	Ittabe,	x

Tishowakayo,	x	Ogla Enlah,	x
Folehommo,	x	Nultlahtubbee,	x
John Garland,	x	Tuska Hollattuh,	x
Koshona,	x	Panshastubbee,	x
Isheieyohamuba,	x	P. P. Pitchlym,	x
Oklanowa,	x	Jole H. Nail,	x
Neto,	x	Hopia Stonakey,	x
James Fletcher,	x	Kochoomma,	x
Silus D. Pytchlynn,		William Wade,	x
William Trahoru,	x	Pansstickubee,	x
Toshkahmmitto,	x	Holittankchahubbee,	x
Tethetayo,	x	Evarpulubbee,	x
Emokloshahopie,	x	Okentahubbee,	x
Tishoimita,	x	Living War Club,	x
Thomas W. Foster,		John Jones,	x
Zadoc Brashear,	x	Charles Jones,	x
Levi Perkins,	x	Isaac Jones,	x
Isaac Perry,	x	Hocklucha,	x
Ishlonocka Hoomah,	x	Muscogee,	x
Hiram King,	x	Eden Nelson,	x

In presence of

E. Breathitt, *Secretary to the Commissioners.*

William Ward, *Agent for the Choctaws.*

John Pitchlynn, *U. S. Intr.*

M. Mackey, *U. S. Intr.*

Geo S. Gaines, *of Alabama,*

R. P. Currin,

Luke Howard,

Sam. S. Worcester,

Jno. N. Byrn,

John Bell,

Jno. Bond.

Various Choctaw persons have been presented by the Chiefs of the nation with a desire that they might be provided for. Being particularly deserving, an earnestness has been manifested that provision might be made for them. It is therefore by the undersigned Commissioners here assented to, with the understanding that they are to have no interest in the reservations which are directed and provided for under the general treaty to which this is a supplement.

As evidence of the liberal and kind feelings of the President and Government of the United States, the Commissioners agree to the request, as follows, to wit: Pierre Juzau, Peter Pitchlynn, G. W. Harkins, Jack Pitchlynn, Israel Fulsom, Louis Laflöre, Benjamin James, Joel H. Nail, Hopoynjahubbee, Onorkubbee, Benjamin Laflöre, Michael Laflöre, and Allen Yates and wife, shall be entitled to a reservation of two sections of land each, to include their improvement where they at present reside, with the exception of the three first named persons and Benjamin Laflöre, who are authorized to locate one of their sections on any other unimproved and unoccupied land, within their respective districts.

Art. 2. And to each of the following persons, there is allowed a reservation of a section and a half of land, to wit: James L. McDonald, Robert Jones, Noath Wall, James Campbell, G. Nelson, Vaughn Brasheans, R. Harris, Little Leader, S. Foster, J. Vaughn, L. Durans, Samuel Long, T. Magagha, Thos. Everge,

Reservations
to P. Juzau &
others.

To J. L. Mc-
Donald and
others.

Giles Thompson, Thomas Garland, John Bond, William Lafore, and Turner Brashears, the two first named persons may locate one section each, and one section jointly on any unimproved and unoccupied land, these not residing in the nation; the others are to include their present residence and improvement.

To M. Mackey & others.

Also, one section is allowed to the following persons, to wit: Middleton Mackey, Wesley Train, Choclehomo, Moses Foster, D. W. Wall, Charles Scott, Molly Nail, Susan Colbert, who was formerly Susan James, Samuel Garland, Silas Fisher, D. McCurtain, Oaklahoma, and Polly Fillecuthey, to be located in entire sections, to include their present residence and improvement, with the exception of Molly Nail and Susan Colbert, who are authorized to locate theirs, on any unimproved unoccupied land.

To J. Pitchlynn's children and others.

John Pitchlynn has long and faithfully served the nation in character of United States' Interpreter; he has acted as such for forty years: In consideration, it is agreed, in addition to what has been done for him, there shall be granted to two of his children, to wit: Silas Pitchlynn and Thomas Pitchlynn, one section of land, each to adjoin the location of their father, likewise to James Madison and Peter, sons of Mushulatubbee, one section of land each, to include the old house and improvement where their father formerly lived on the old military road adjoining a large Prairie.

To Henry Groves.

And to Henry Groves, son of the Chief Natticache, there is one section of land given, to adjoin his father's land.

To Willis Harkins and others.

And to each of the following persons, half a section of land is granted, on any unoccupied and unimproved lands in the Districts where they respectively live, to wit: Willis Harkins, James D. Hamilton, William Juzau, Tobias Lafore, Jo Doke, Jacob Fulson, P. Hays, Samuel Worcester, George Hunter, William Train, Robert Nail, and Alexander McKee.

To Delila and others.

And there is given a quarter section of land each, to Delila and her five fatherless children, she being a Choctaw woman residing out of the nation; also, the same quantity to Peggy Trihan, another Indian woman residing out of the nation, and her two fatherless children; and to the widows of Pushmilaha and Pucktshenubbee, who were formerly distinguished Chiefs of the nation, and for their children, four quarter sections of land, each in trust for themselves and their children.

All of said last mentioned reservations are to be located under and by direction of the President of the United States.

Choctaws anxious to remove.

Art. 3. The Choctaw people, now that they have ceded their lands, are solicitous to get to their new homes early as possible, and accordingly they wish that a party may be permitted to proceed this fall, to ascertain whereabouts will be most advantageous for their people to be located.

Persons to examine the country.

It is therefore agreed that three or four persons, (from each of the three districts) under the guidance of some discreet and well qualified person or persons, may proceed during this fall to the West, upon an examination of the country.

U. S. to pay expenses.

For their time and expenses, the United States agree to allow the said twelve persons two dollars a day each, not to exceed one hundred days, which is deemed to be ample time to make an examination.

If necessary, pilots acquainted with the country, will be furnished, when they arrive in the West. Pilots.

Art. 4. John Donly, of Alabama, who has several Choctaw grand children, and who, for twenty years, has carried the mail through the Choctaw nation, a desire by the Chiefs is expressed that he may have a section of land; it is accordingly granted, to be located in one entire section, on any unimproved and unoccupied land. Section of land to John Donly.

Allen Glover and George S. Gaines, licensed traders in the Choctaw nation, have accounts amounting to upwards of nine thousand dollars against the Indians, who are unable to pay their said debts, without distressing their families; a desire is expressed by the Chiefs, that two sections of land be set apart to be sold, and the proceeds thereof to be applied toward the payment of the aforesaid debts. It is agreed that two sections of any unimproved and unoccupied land be granted to George S. Gaines, who will sell the same for the best price he can obtain, and apply the proceeds thereof to the credit of the Indians, on their accounts due to the before mentioned Glover and Gaines, and shall make the application to the poorest Indian first. Indians indebted to A. Glover and G. S. Gaines.
2 sections of land to pay these debts.

At the earnest and particular request of the Chief, Greenwood Laffore, there is granted to David Haley one half section of land, to be located in a half section on any unoccupied and unimproved land, as a compensation for a journey to Washington City, with despatches to the Government, and returning others to the Choctaw nation. Half section to David Haley.

The foregoing is entered into as supplemental to the treaty concluded yesterday.

Done at Dancing Rabbit Creek the 28th day of September, 1830.

		JNO. H. EATON, [SEAL.]	
		JNO. COFFEE, [SEAL.]	
Greenwood Leflore,		Hopiaunchahubbee,	x
Nittucachee	x	David Folsom,	
Musholatubbee,	x	John Garland,	x
Ofahoomah,	x	Hopiahoomah,	x
Eyarhoeuttubbee,	x	Captain Thalko,	x
Iyaerhopia,	x	Pierre Juzan,	
Holubbee,	x	Immarstarher,	x
Onarhubbee,	x	Hoshimhamartar,	x
Robert Cole,	x		

In presence of

E. Breathitt, *Secretary to the Commissioners,*

W. Ward, *Agent for Choctaws,*

M. Mackey, *U. S. Interpreter,*

John Pitchlynn, *U. S. Interpreter,*

R. P. Currin,

Jno. W. Byrn,

Geo. S. Gaines,

Now, therefore, be it known, that I, ANDREW JACKSON, President of the United States of America, having seen and considered said treaty, do, in pursuance of the advice and consent of the Senate, as expressed by their resolution of the twenty-first day of February, one thousand eight hundred and thirty-one, accept, ra-

tify, and confirm the same, and every clause and article thereof, with the exception of the preamble.

In testimony whereof, I have caused the seal of the United [L. s.] States to be hereunto affixed, having signed the same with my hand.

Done at the city of Washington, this twenty-fourth day of February, in the year of our Lord one thousand eight hundred and thirty-one, and of the Independence of the United States the fifty-fifth.

ANDREW JACKSON.

By THE PRESIDENT:

M. VAN BUREN, *Sec. of State.*

Treaty between the United States and the Seneca Tribe of Indians.

Articles of Agreement and Convention made and concluded at the city of Washington, on the twenty-eighth day of February, in the year of our Lord one thousand eight hundred and thirty-one, by and between James B. Gardiner, specially appointed Commissioner on the part of the United States, of the one part, and the undersigned principal Chiefs and Warriors of the Seneca tribe of Indians, residing on the Sandusky river, in the State of Ohio, on the part of said tribe, of the other part, for the cession of the lands now owned and occupied by the said tribe of Indians, lying on the waters of the Sandusky river, and situate within the territorial limits of the organized counties of Seneca and Sandusky, in said state of Ohio.

Whereas, the tribe of Seneca Indians, residing on Sandusky river, in the State of Ohio, have earnestly solicited the President of the United States to negotiate with them for an exchange of the lands now owned and occupied by them, for lands of the United States, west of the river Mississippi, and for the removal and permanent settlement of said tribe; therefore, in order to carry into effect the aforesaid objects, the following articles have been agreed upon:

Art. 1. The Seneca tribe of Indians, in consideration of the stipulations herein made on the part of the United States, do forever cede, release, and quit claim to the United States, the lands granted to them by patent, in fee simple, by the sixth section of the treaty, made at the foot of the Rapids of the Miami river of Lake Erie, on the twenty-ninth day of September, in the year eighteen hundred and seventeen, containing thirty thousand acres, and described as follows: "beginning on the Sandusky river, at the lower corner of the section granted to William Spicer; thence, down the river on the east side, with the meanders thereof at high water mark, to a point east of the mouth of Wolf creek; thence, and from the beginning, east, so far that a north line will include the quantity of thirty thousand acres." And said tribe also cede as aforesaid, one other tract of land, reserved for the use of the said Senecas, by the second article of the treaty made at St. Mary's, in the State of Ohio, on the seventeenth day of September, in the year eighteen hundred and eighteen, which tract is described in said treaty, as follows: "ten thousand acres of land to be laid off on the east side of the Sandusky river, adjoining the south side of their reservation of thirty thousand acres, which begins on the Sandusky river, at the lower corner of William Spicer's section,

Cede their
lands granted
to them 29th
Sept. 1817.

and excluding therefrom the said William Spicer's section;" making, in the whole of this cession, forty thousand acres.

Art. 2. In consideration of the cessions stipulated in the foregoing article, the United States agree to cause the said tribe of Senecas, consisting of about four hundred souls, to be removed in a convenient and suitable manner, to the western side of the Mississippi river, and will grant them by patent, in fee simple, as long as they shall exist as a nation, and remain on the same, a tract of land, situate on, and adjacent to the northern boundary of the lands heretofore granted to the Cherokee nation of Indians, and adjoining the boundary of the State of Missouri; which tract shall extend fifteen miles from east to west, and seven miles from north to south, containing about sixty-seven thousand acres, be the same more or less; for which the President of the United States shall cause letters patent to be issued, in due form of law, agreeably to the act of the last session of Congress.

U. S. to cause
Senecas to be
removed west
of Mississippi.

Art. 3. The United States will defray the expenses of the removal of the said Senecas, and will moreover supply them with a sufficiency of wholesome provisions to support them for one year after their arrival at their new residence.

U. S. to pay
expense of re-
moval.

Art. 4. Out of the first sales to be made of the lands herein ceded by the Senecas, the United States will cause a grist mill, a saw mill, and a blacksmith shop to be erected on the lands herein granted to the Senecas, with all necessary tools, to be supported and kept in operation at the expense of the United States, for the sole benefit of the said Senecas; and for these purposes, the United States will employ a miller and a blacksmith. for such term as the President of the United States, in his discretion, may think proper.

U. S. to erect
grist mill, &c.

Art. 5. As the Seneca Indians, on their removal, will stand in need of funds to make farms and erect houses, it is agreed that the United States will advance them six thousand dollars, in lieu of the improvements which they have made on the lands herein ceded to the United States, which sum shall be reimbursed from the sales of the lands ceded. An equitable distribution of this sum shall be made by the Chiefs, with the consent of the tribe, in general council assembled, to such individuals of the tribe as, having left improvements, may be properly entitled to receive the same.

\$ 6000 in lieu
of improve-
ments.

Art. 6. The live stock, farming utensils, and other chattel property which the Senecas now own, and may not be able to take with them, shall be sold by some agent to be appointed by the President, and the proceeds paid to the owners of such property, respectively.

Stock, &c. to
be sold for the
benefit of the
tribe.

Art. 7. The expenses of the Chiefs in coming to, and remaining at, Washington, and returning to Ohio, as well as the expenses and *per diem* pay of the native interpreter accompanying them, shall be paid by the United States.

Expense of
coming to
Washington.

Art. 8. The United States will expose to public sale, to the highest bidders, at such time and in such manner as the President may direct, the tracts of land herein ceded by the Seneca Indians; and, after deducting from the proceeds of such sale, the *minimum* price of the public lands; the cost of building the saw and grist mills and blacksmith shop for the Senecas; the cost of surveying

Seneca lands
to be sold by
U. S.

the lands, and the sum of six thousand dollars to be advanced in lieu of their present improvements, it is agreed that any balance which may remain of the avails of the lands, after sale as aforesaid, shall constitute a fund for the future exigencies of the tribe, on which the government of the United States consent and agree to pay to the Chiefs of the nation, for the use and general benefit of the nation, annually, five per cent. on said balance, as an annuity: And if, at any time hereafter, the Seneca Chiefs, by and with the advice and consent of their tribe, in general council assembled, shall make known to the President their desire that the fund thus to be created, should be dissolved and given to the tribe, the President shall cause the same to be paid over to them, in such manner as he may direct, provided he shall become satisfied of the propriety of so doing.

U. S. to pay 5
per cent. as an
annuity.

Annuity to be
paid west of
Mississippi.

100 rifles, &c.
&c. to be given
as presents.

160 acres of
land to Henry
C. Brish.

Exception.

\$100 to each.

U. S. to ad-
vance \$500.

Art. 9. It is agreed that any annuity accruing to the Senecas by former treaties, shall be paid to them at their intended residence, west of the Mississippi, under the direction of the President.

Art. 10. The United States hereby agree to give to the Senecas, as presents, one hundred rifles, as soon as practicable, and four hundred blankets, for the use of the tribe, to be delivered to them at such time and place as may be directed by the Secretary of War; also, fifty ploughs, fifty hoes, and fifty axes, will be given to the tribe as aforesaid, to assist them in commencing farming.

Art. 11. The Chiefs of the Senecas being impressed with gratitude towards Henry C. Brish, their sub-agent, for his private advances of money and provisions, and numerous other acts of kindness towards them, as well as his extra services in coming with them to Washington; and having expressed a wish that a quarter section of a hundred and sixty acres of the lands ceded by them, should be granted to him in consideration thereof: the same is hereby granted to him and his heirs, to be located under the direction of the President of the United States.

Art. 12. The lands granted by this Agreement and Convention, to the Seneca tribe of Indians, shall not be sold or ceded by them, except to the United States.

Art. 13. It is communicated by the Chiefs here, that, in council, before they left home, it was agreed by the tribe, that, for their services in coming to the city of Washington, each should receive one hundred dollars, to be paid by said tribe. At the request of said Chiefs, it is agreed that the United States will advance the amount to wit: five hundred dollars, to be hereafter reimbursed from the sale of their lands in Ohio.

In testimony whereof, the parties respectively, have, this twenty-eighth of February, signed the same, and affixed their seals.

JAMES B. GARDINER, [SEAL.]

Comstick,
Small Cloud Spicer,
Seneca Steel,

x Hard Hickory,
x Capt. Good Hunter,
x

In presence of

Henry C. Brish, *Sub-Agent*,
George Herron, *Interpreter*,
W. B. Lewis,
Henry Tolan,
P. G. Randolph.

MESSAGE

From the President of the United States, in compliance with a resolution of the Senate, relative to the execution of the act to regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontiers, passed the 30th March, 1802.

FEBRUARY 22, 1831.

To the Senate of the United States :

I have received your resolution of the 15th instant, requesting me "to inform the Senate whether the provisions of the act, entitled 'An act to regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontiers,' passed the 30th of March, 1802, have been fully complied with on the part of the United States' Government, and, if they have not, that he inform the Senate of the reasons that have induced the Government to decline the enforcement of said act:" and I now reply to the same.

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gress.

According to my views of the act referred to, I am not aware of any omission to carry into effect its provisions in relation to trade and intercourse with the Indian tribes, so far as their execution depended on the agency confided to the Executive.

The numerous provisions of that act, designed to secure to the Indians the peaceable possession of their lands, may be reduced, substantially, to the following: That citizens of the United States are restrained, under sufficient penalties, from entering upon the lands for the purpose of hunting thereon, or of settling them, or of giving their horses and cattle the benefit of a range upon them, or of travelling through them without a written permission; and that the President of the United States is authorized to employ the military force of the country to secure the observance of these provisions. The authority to the President, however, is not imperative. The language is, "it shall be lawful for the President to take such measures, and to employ such military force as he may judge necessary to remove from lands belonging to, or secured by treaty to any Indian tribe, any citizen who shall make a settlement thereon."

By the 19th section of this act, it is provided that nothing in it "shall be construed to prevent any trade or intercourse with Indians living on lands surrounded by settlements of citizens of the United States, and being within the ordinary jurisdiction of any of the individual States." This provision I have interpreted as being prospective in its operation, and as applicable not only to Indian tribes which, at the date of its passage, were subject to the jurisdiction of any State, but to such also as should thereafter become so. To this construction of its meaning, I have endeavored to conform, and have taken no step inconsistent with it. As soon, therefore, as the sovereign power of the State of Georgia was exercised, by an extension of her laws, throughout her limits,

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and I had received information of the same, orders were given to withdraw from the State the troops which had been detailed to prevent intrusion upon the Indian lands within it; and these orders were executed. The reasons which dictated them, shall be frankly communicated.

The principle recognized in the section last quoted, was not for the first time then avowed. It is conformable to the uniform practice of the Government before the adoption of the Constitution, and amounts to a distinct recognition by Congress, at that early day, of the doctrine that that instrument had not varied the powers of the Federal Government over Indian affairs, from what they were under the articles of Confederation. It is not believed that there is a single instance in the legislation of the country, in which the Indians have been regarded as possessing political rights, independent of the control and authority of the States within the limits of which they resided. As early as the year 1782, the Journals of Congress will show that no claim of such a character was countenanced by that body. In that year, the application of a tribe of Indians residing in South Carolina, to have certain tracts of land which had been reserved for their use in that State secured to them, free from intrusion, and without the right of alienating them, even with their own consent, was brought to the consideration of Congress, by a report from the Secretary of War. The resolution which was adopted on that occasion, is as follows:

“Resolved, That it be recommended to the Legislature of South Carolina to take such measures for the satisfaction and security of said tribes, as the Legislature in their wisdom may think fit.”

Here is no assertion of the right of Congress, under the articles of Confederation, to interfere with the jurisdiction of the States over Indians within their limits; but rather a negation of it. They refused to interfere with the subject, and referred it, under a general recommendation, back to the State, to be disposed of as her wisdom might decide.

If, in addition to this act, and the language of the articles of Confederation, any thing further can be wanting to show the early views of the Government on the subject, it will be found in the proclamation issued by Congress in 1783. It contains this language: “The United States in Congress assembled, have thought proper to issue their proclamation, and they do hereby prohibit and forbid all persons from making settlements on lands inhabited or claimed by Indians, without the limits or jurisdiction of any particular State.” And again:

“Resolved, That the preceding measures of Congress relative to Indian affairs, shall not be construed to affect the territorial claims of any of the States, or their legislative rights within their respective limits.”

It was not then pretended that the General Government had the power, in their relations with the Indians, to control or oppose the internal polity of the individual States of this Union; and if such was the case under the articles of Confederation, the only question on the subject since must arise out of some more enlarged

power or authority given to the General Government by the present Constitution. Does any such exist?

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gress.

Amongst the enumerated grants of the Constitution, that which relates to this subject is expressed in these words: "Congress shall have power to regulate commerce with the Indian tribes." In the interpretation of this power, we ought certainly to be guided by what had been the practice of the Government, and the meaning which had been generally attached to the resolves of the old Congress, if the words used to convey it do not clearly import a different one, as far as it affects the question of jurisdiction in the individual States. The States ought not to be divested of any part of their antecedent jurisdiction, by implication or doubtful construction. Tested by this rule, it seems to me to be unquestionable, that the jurisdiction of the States is left untouched by this clause of the Constitution, and that it was designed to give to the General Government complete control over the trade and intercourse of those Indians only who were not within the limits of any State.

From a view of the acts referred to, and the uniform practice of the Government, it is manifest that, until recently, it has never been maintained that the right of jurisdiction by a State over Indians within its territory, was subordinate to the power of the Federal Government. That doctrine has not been enforced, nor even asserted, in any of the States of New England, where tribes of Indians have resided, and where a few of them yet remain. These tribes have been left to the undisturbed control of the States in which they were found, in conformity with the view which has been taken of the opinions prevailing up to 1789, and the clear interpretation of the act of 1802. In the State of New York, where several tribes have resided, it has been the policy of the Government to avoid entering into quasi-treaty engagements with them, barely appointing Commissioners occasionally, on the part of the United States, to facilitate the objects of the State in its negotiations with them.

The Southern States present an exception to this policy. As early as 1784, the settlements within the limits of North Carolina were advanced further to the west than the authority of the State to enforce an obedience of its laws; others were in a similar condition. The necessities, therefore, and not the acknowledged principles of the Government, must have suggested the policy of treating with the Indians in that quarter, as the only practicable mode of conciliating their good will. The United States at that period had just emerged from a protracted war for the achievement of their independence. At the moment of its conclusion, many of these tribes, as powerful as they were ferocious in their mode of warfare, remained in arms, desolating our frontier settlements. Under these settlements, the first treaties, in 1785 and 1790, with the Cherokees, were concluded by the Government of the United States, and were evidently sanctioned as measures of necessity, adapted to the character of the Indians, and indispensable to the peace and security of the western frontier. But they cannot be understood as changing the political relations of the In-

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dians to the States, or to the Federal Government. To effect this, would have required the operation of quite a different principle, and the intervention of a tribunal higher than that of the treaty making power.

To infer from the assent of the Government to this deviation from the practice which had before governed its intercourse with the Indians, and the accidental forbearance of the States to assert their right of jurisdiction over them, that they had surrendered this portion of their sovereignty, and that its assumption now is usurpation, is conceding too much to the necessity which dictated those treaties, and doing violence to the principles of the Government and the rights of the States, without benefiting in the least degree the Indians. The Indians, thus situated, cannot be regarded in any other light than as members of a foreign government, or of that of the State within whose chartered limits they reside. If in the former the ordinary legislation of Congress in relation to them, is not warranted by the Constitution, which was established for the benefit of our own, not of a foreign people: if in the latter, then, like other citizens or people resident within the limits of the States, they are subject to their jurisdiction and control. To maintain a contrary doctrine, and to require the Executive to enforce it by the employment of a military force, would be to place in his hands a power to make war upon the rights of the States and the liberties of the country—a power which should be placed in the hands of no individual.

If, indeed, the Indians are to be regarded as people possessing rights which they can exercise independently of the States, much error has arisen in the intercourse of the Government with them. Why is it that they have been called upon to assist in our wars, without the privilege of exercising their own discretion? If an independent people, they should, as such, be consulted and advised with; but they have not been. In an order which was issued to me from the War Department, in September, 1814, this language is employed: "All the friendly Indians should be organized and prepared to co-operate with your other forces. There appears to be some dissatisfaction among the Choctaws; their friendship and services should be secured without delay. The friendly Indians must be fed and paid, and *made to fight when and where their services may be required.*" To an independent and foreign people, this would seem to be assuming, I should suppose, rather too lofty a tone; one which the Government would not have assumed if they had considered them in that light. Again: By the Constitution, the power of declaring war belongs exclusively to Congress. We have been often engaged in war with the Indian tribes within our limits; but when have these hostilities been preceded or accompanied by an act of Congress declaring war against the tribe which was the object of them? And was the prosecution of such hostilities an usurpation, in each case, by the Executive which conducted them, of the Constitutional power of Congress? It must have been so, I apprehend, if these tribes are to be considered as foreign and independent nations.

The steps taken to prevent intrusion upon Indian lands, had their origin with the commencement of our Government, and be-

came the subject of special legislation in 1802, with the reservations which have been mentioned in favor of the jurisdiction of the States. With the exception of South Carolina, who has uniformly regulated the Indians within her limits, without the aid of the General Government, they have been felt within all the States of the South, without being understood to affect their rights or prevent the exercise of their jurisdiction, whenever they were in a situation to assume and enforce it. Georgia, though materially concerned, has, on this principle, forbore to spread her legislation further than the settlements of her own white citizens, until she has recently perceived within her limits a people claiming to be capable of self-government, sitting in legislative council, organizing courts, and administering justice. To disarm such an anomalous invasion of her sovereignty, she has declared her determination to execute her own laws throughout her limits—a step which seems to have been anticipated by the proclamation of 1783, and which is perfectly consistent with the 19th section of the act of 1802. According to the language and reasoning of that section, the tribes to the south and southwest are not only “surrounded by settlements of the citizens of the United States,” but are now also “within the ordinary jurisdiction of the individual States.” They became so from the moment the laws of the State were extended over them, and the same result follows the similar determination of Alabama and Mississippi. These States have each a right to claim in behalf of their position, now, on this question, the same respect which is conceded to the other States of the Union.

Towards this race of people, I entertain the kindest feelings; and am not sensible that the views which I have taken of their true interests, are less favorable to them than those which oppose their emigration to the west. Years since, I stated to them my belief, that, if the States chose to extend their laws over them, it would not be in the power of the Federal Government to prevent it. My opinion remains the same; and I can see no alternative for them, but that of their removal to the west, or a quiet submission to the State laws. If they prefer to remove, the United States agree to defray their expenses, to supply them the means of transportation, and a year's support after they reach their new homes—a provision too liberal and kind to deserve the stamp of injustice. Either course promises them peace and happiness, whilst an obstinate perseverance in the effort to maintain their possessions independent of the State authority, cannot fail to render their condition still more helpless and miserable. Such an effort, ought, therefore, to be discountenanced by all who sincerely sympathise in the fortunes of this peculiar people, and especially by the political bodies of the Union, as calculated to disturb the harmony of the two Governments, and to endanger the safety of the many blessings which they enable us to enjoy.

As connected with the subject of this inquiry, I beg leave to refer to the accompanying letter from the Secretary of War, enclosing the orders which proceeded from that Department, and a letter from the Governor of Georgia.

ANDREW JACKSON.

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DEPARTMENT OF WAR,

February 21, 1831.

Letter from
Sec. of War to
President U.
States.

SIR: In reply to your direction, to be informed of the course which has been pursued at this Department to enforce the provisions of the act of March, 1802, regulating trade and intercourse with the Indians. I have the honor to state:

During last year, frequent complaints were made, that persons from Georgia and other States, had entered upon the lands of the Cherokee Indians, and were digging for gold. The prospect of gain from the pursuit, had drawn many to the country. Riots had taken place, and serious disturbances were threatened and feared. To prevent them, a detachment of troops was ordered into the Indian country, under and in pursuance of the act of 1802, as will appear by orders to the commanding officer stationed at Fort Mitchell.

On the 8th of November last, another order issued, directing the troops to retire from the country of the Cherokee Indians, and to resume their position again at their former encampment.

Within a day or two after this order was issued, information was officially communicated by the Governor of Georgia, that the Legislature being in session, had entered upon the consideration of this subject, and that the laws of Georgia would be extended over the Indian country. His letter is annexed.

The opinion entertained by you being that the United States cannot rightfully interfere within a State where the laws are extended, any application to place troops within Georgia, on account of the act of 1802, must, for the future, be disregarded.

Very respectfully,

J. H. EATON.

The PRESIDENT of the United States.

EXECUTIVE DEPARTMENT,

Milledgeville, October 29, 1830.

Letter from
Governor of
Georgia to
President U.
States.

SIR: By an act of the Legislature of Georgia, passed at its last session, all the Cherokee territory, and the persons occupying it, were subjected to the ordinary jurisdiction of the State, after the first of June then next ensuing. This act has gone into operation. The acknowledgment by the President of the right of the State to pass such an act, renders it unnecessary to say any thing in its justification. The object of this letter is to request the President that the United States' troops may be withdrawn from the Indian territory within Georgia. The enforcement of the non-intercourse law within the limits of the State, is considered inconsistent with the right of jurisdiction which is now exercised by its authorities, and must, if continued, lead to difficulties between the officers of the United States and State Governments, which it is very desirable should be avoided. No doubt is entertained that the ob-

ect of the President in ordering the United States' troops into the Cherokee territory, was the preservation of the peace of the Union. The motive is duly appreciated. Legislature of this State is now in session. The special object of its meeting is the enforcement of the laws of the State within the Cherokee country, and the punishment of intrusion into it by persons searching for gold. Its powers are amply sufficient for that purpose. As it is expected that the law for the punishment of trespassers upon the public lands, will go into operation within a few days, the President is, therefore, requested to withdraw the troops as soon as it can be conveniently done.

Letter from
Governor of
Georgia to
President U.
States.

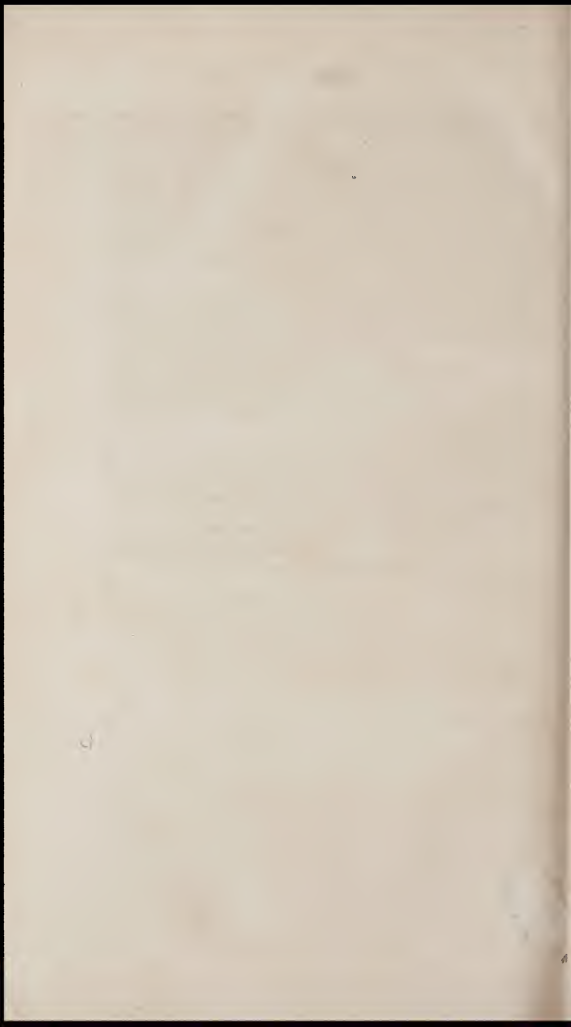
Information has been received at this Department, that the digging for gold is still carried on in various parts of the Cherokee territory, and that the extent of country containing mines, is so great, that it is wholly impossible to prevent it by the use of military force alone. It is said that the Indians are even more extensively employed in taking gold, than before the arrival of the troops. This proceeds from their residence within the country, intimate acquaintance with it, and other means of avoiding the operation of the troops. The fear of the whites had restrained them previously.

The President is assured that, whatever measures may be adopted by the State of Georgia, in relation to the Cherokees, the strongest desire will be felt to make them accord with the policy which has been adopted by the present administration of the General Government upon the same subject.

Very respectfully, yours, &c.

GEORGE R. GILMER.

To the President of the United States.









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